

Zoos on watch for disease in lions

ZOOS and safari parks are keeping a close watch on their lions and tigers for signs that they may be developing a condition similar to BSE. Concern follows the deaths of two domestic cats from a feline version of spongiform encephalopathy (Michael Hornsby writes).

"It is obviously a question that is in all our minds, and we will be vigilant," Mr James Kirkwood, senior veterinary officer at London Zoo, said. "If it is proven that domestic cats can contract the disease via food, then there must be a chance that larger cats can get it by the same route."

All the big cats at the zoo were fed raw meat of a quality suitable for human consumption and the chances of it being infected were negligible, Mr Kirkwood said. "Some of our smaller carnivores are fed tinned food. We are assured by the manufacturers that it does not contain animal protein from undesirable sources, though we cannot be absolutely certain."

Mr Roger Cawley, manager of Longleaf Safari Park in Wiltshire, said the 35 lions and nine tigers in his care had eaten bullocks' heads containing brains up to last November when such matter was banned for human consumption. "We are still feeding bullocks' heads to our cats but the brains are removed."

Since 1986 five types of antelope have died in British zoos from a condition identical to BSE.

Thatcher fails to allay expert fears over 'mad cows'

By MICHAEL HORNSBY, AGRICULTURE CORRESPONDENT

ASSERTIONS by Mrs Margaret Thatcher and Mr John Gummer, the Minister of Agriculture, that the Government had taken all the measures needed to counter the "mad cow" disease failed yesterday to dispel continuing criticism by independent experts.

Appearing before the House of Commons select committee on agriculture, Mr Gummer repeated earlier assurances by Sir Donald Acheson, the chief medical officer, that beef was "absolutely safe to eat" and said he was "determined to put the safety of the consumer first."

The Government, he insisted, had responded to the bovine spongiform encephalopathy (BSE) threat with a "vigorous and coherent programme of measures" which were "directed first to concerns about human health."

Earlier Mrs Thatcher, speaking at the opening of a £7.5 million food science laboratory in Norwich, gave her full support to the scientific advice on which the Government's policy had been based. She said: "You could not have better scientists working on it."

She praised Sir Richard Southwood, the vice-chancellor of Oxford University, who led the initial inquiry into BSE, and Dr David Tyrrell, the virologist who heads the

committee of scientists now advising the Government.

In London, however, Dr Gareth Roberts, a neuropathologist at the Royal Post-Graduate Medical School, said he was astonished that cattle and sheep offal was still being fed to pigs. "I cannot think of any really good reason why pigs should be exempt when every other animal, from cows to impalas, can catch this disease by eating infected material."

Mr Francis Anthony, chairman of the British Veterinary Association's farm animals committee, also called on Mr Gummer to "rethink" the feeding of such offal to pigs and poultry, as did the Institute of Trading Standards Administration, which represents 1,300 trading standards officers.

Firm evidence that the incidence of a rare form of incurable dementia in humans can or cannot be increased by exposure to the "mad cow" disease, bovine spongiform encephalopathy, will not be available for at least 10 to 15 years and possibly not for as long as 30 years.

That is the view of Dr Robert Will, consultant neurologist at Western General Hospital in Edinburgh, who is in charge of a programme begun on May 1 to monitor the incidence of Creutzfeldt-Jakob's Disease (CJD), a

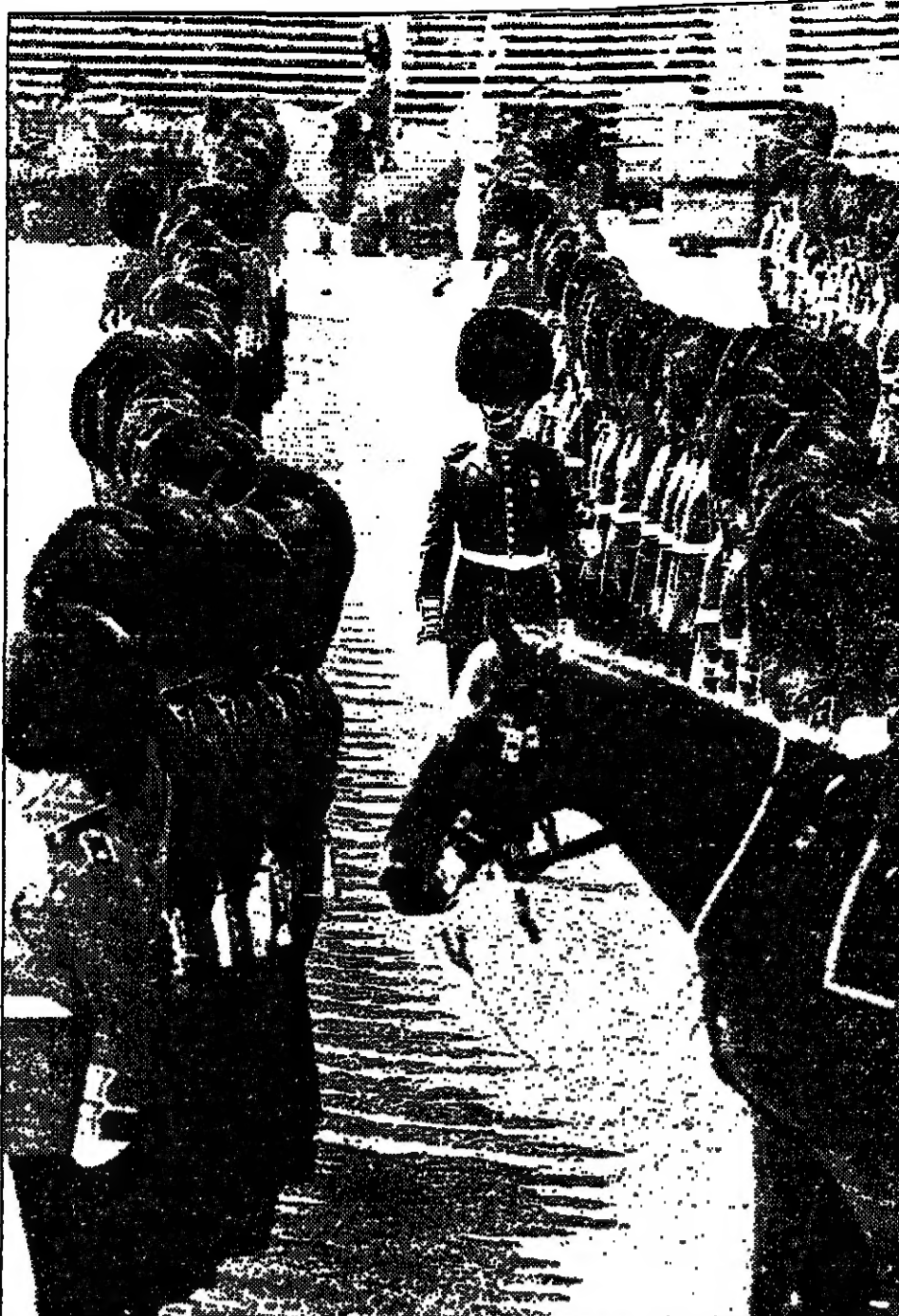
spongiform encephalopathy in humans which kills about 30 people a year in Britain.

"An increased incidence of CJD would be the simplest indicator of possible cross-infection from BSE but I think it can be said that any risk from eating beef muscle tissue is astronomically remote. It is not possible to be quite so certain about the brain and other offals which have now been banned for human consumption," he said.

"At present, there is no method of testing humans while they are alive to see if they are carrying the causative agent."

"If such a test existed it might transform our knowledge of the disease. One theory, and it is only a theory, is that we all carry the agent but that in all but a very small number of us the incubation period is so long that we never develop the disease. The length of the incubation period might be genetically determined," Dr Will said.

Humans have contracted CJD accidentally. For example, a small number of children around the world developed the disease after being injected with human growth hormone made from pituitary glands taken from cadavers which are now presumed to have been infected with CJD. Symptoms appeared some 15 to 20 years after the injection.



Way out of line: Sergeant Major A.G. Mason rehearsing the 2nd Battalion the Coldstream Guards and the 1st battalion the Welsh Guards for the Trooping the Colour ceremony on June 16

MPs failed to declare payments

By RICHARD FORD
POLITICAL CORRESPONDENT

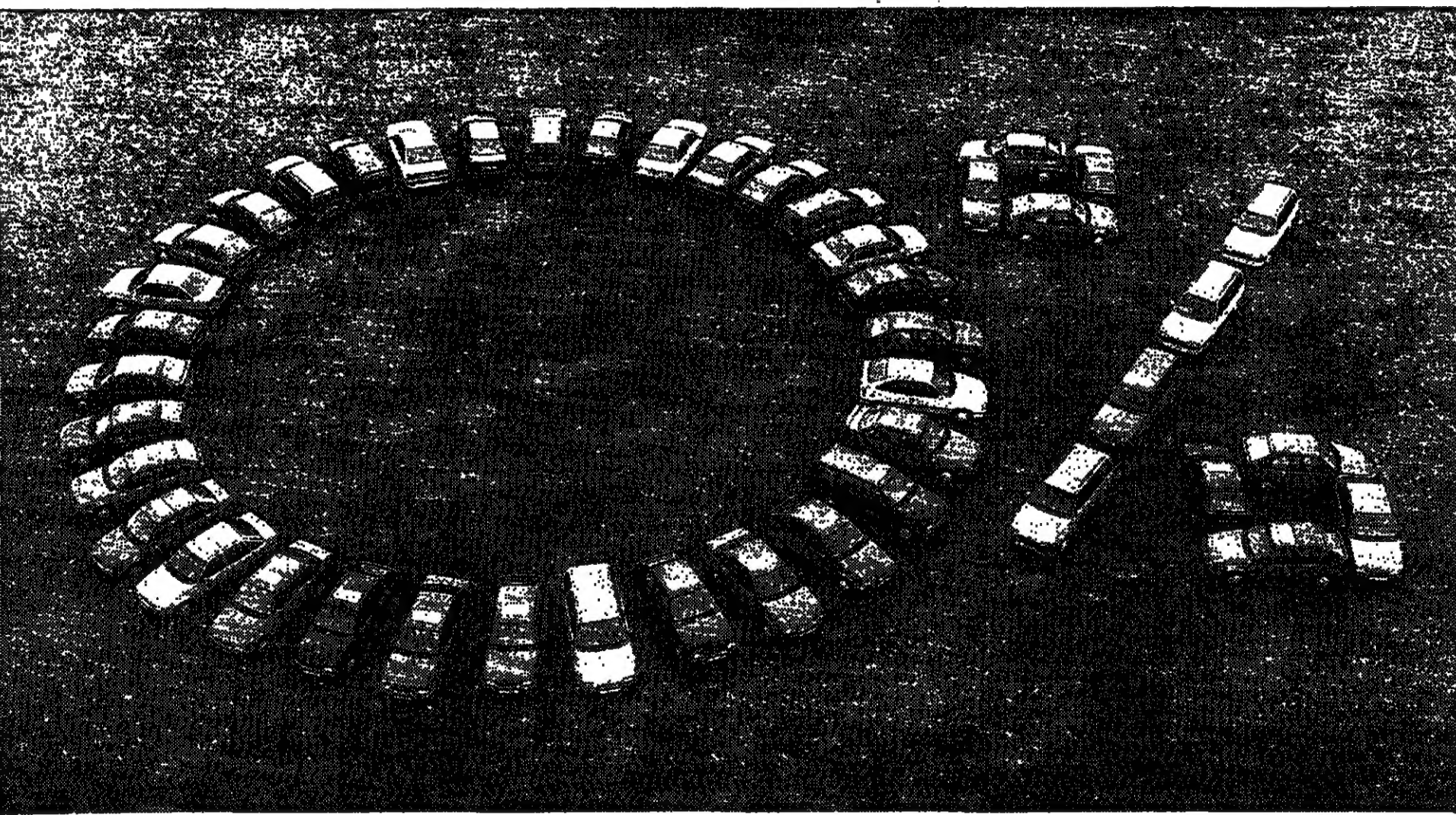
SOME cash payments made to MPs for introducing clients to a public affairs consultancy were not notified to officials compiling the Register of Members' Interests, according to evidence given during an investigation into parliamentary lobbying.

Six payments, known by some people in the industry as a "thank you payment" were allegedly made by one firm to three MPs in the past five years. One MP is said to have received three payments, in 1985, 1986 and 1990, a second MP two payments, in 1986 and 1988, and a third one payment, in 1988.

The committee was told that payments to the unnamed MPs were made by Ian Greer Associates, a public affairs consultancy, even though the company's chairman told a Commons select committee in 1988 that the firm did not retain any peers, MPs or Members of the European Parliament, and that it was completely disassociated from them.

Mr Ian Greer, chairman of the company, told the Select Committee on Members' Interests yesterday that payments had been made to MPs, who had introduced business to his company, on six occasions over the past five years. He refused to tell a private session of the committee the names of the MPs but said he had checked the "thank you" payments and only one had been registered in the Register of Members' Interests.

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Interest charges*	NIL	£696.04	£1,414.34	£2,480.08
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All change for public transport

By MICHAEL DYNES, TRANSPORT CORRESPONDENT

PUBLIC transport systems will change dramatically in the 1990s as aerospace and armaments manufacturers seek civilian markets to compensate for declining defence spending, according to a transport survey published today.

Reduced military spending could set off a wholesale transfer of technology from military to civilian projects, much of which is likely to go towards developing environmentally sensitive mass-transportation systems, the survey said.

However, attempts by the aerospace and armaments industry to enter the market could produce a period of ferocious competition, as companies struggle to survive in a post-Cold War international climate, it added.

Mr Chris Bushall, editor of the 1990 edition of *Jane's Urban Transport Systems*, an annual survey of public transport in over 400 cities around the world, predicted a period of acute turmoil in the transport sector, unless the lessons of the past were acted upon.

Mr Bushall warned of the precedent set during the 1970s at the end of the Vietnam war, when US aerospace and defence contractors were forced to enter the civilian transport market, which led to the decimation of the US rail passenger vehicle industry.

In the competitive era following Vietnam "a huge number of ill-conceived and inappropriate systems were developed, traditional manufacturers went out of business, and the ensuing price war between the large manufacturers damaged suppliers and users alike," Mr Bushall said.

Defence contractors assumed existing transport technology "was so outdated as to be scarcely worth the trouble of study," Mr Bushall said, resulting in the production of new high-technology transport systems that were utterly unsuitable for mass transit.

"In general it appeared to be easier to design modules that would link up accurately in space, than to produce rail vehicles that would stand up to the rigours of normal terrestrial urban transport."

After losing millions of dollars in civilian transport systems, the aerospace and defence industries were forced to pull out of the market, "by which time most of the traditional US rail passenger vehicle building industry had been killed off," he said.

Mr Bushall also urged public transport suppliers to be cautious about seeing Eastern Europe as the next growth market for mass transit systems, at least until the region's centralized manufacturing structure had been reformed.

Efforts to reduce urban road congestion and environmental pollution will become the dominant preoccupations of transport specialists for the foreseeable future, and pay-as-you-drive road-pricing systems "seem an inevitable development for the 1990s," he said.

The Cabinet committee responsible for examining proposals for the 68-mile Channel tunnel high-speed rail-links expected to decide whether to give government backing to the project today. Although an announcement

is not expected until after Parliament returns from the Whit recess, Mr Keith Speed, Conservative MP for Ashford, will today ask Mr Cecil Parkinson, Secretary of State for Transport, to announce the decision immediately.

The crippling £7 billion cost of designing and building a successor to Concorde is likely, as expected, to be shared among all the world's aircraft manufacturers (Harvey Elliott writes).

After agreement between Aerospace and British Aerospace to pool resources in drawing up blueprints for a future supersonic passenger jet, aircraft manufacturers in the United States and Germany yesterday agreed to join in the design and development of what could become the world's first global airliner.

Jane's Urban Transport Systems (Jane's Information Group, 163 Brighton Road, Coulsdon, Surrey, CR3 2NX, price £110)

Student is accused of gun offence

Kevin Barry O'Donnell was charged last night with illegal possession of two semi-automatic assault rifles and will appear today at Lambeth Magistrates' Court, south London, Scotland Yard said.

Mr O'Donnell, aged 20, was arrested after a car chase on Tuesday morning in Wood Green, north London. He was charged with possessing two Romanian AKM 7.62 semi-automatic assault rifles with intent to endanger life. Mr O'Donnell is a student on a two-year poultry course in Newport, Shropshire, and lived in a hall of residence.

Dolphin mission

A rescue operation was launched last night to try to save a second ailing dolphin stranded in the Thames. One of its offspring, a young male, has died in spite of efforts by veterinary surgeons after it was taken from the river to Windsor Safari Park, Berkshire, on Tuesday.

Prison death

Mr Walter Arnold, aged 53, a decorator from Thorpe St Andrew, Norfolk, was killed with a hammer while working in Norwich prison yesterday. Police said two inmates have been questioned, but no motive has been established.

CORRECTIONS

Contrary to our report of yesterday, it was Mr Arthur Scargill, president of the National Union of Mineworkers, who said that job losses in the coal industry could be horrendous unless foreign imports and the development of gas-powered power stations were stopped, and not Sir Robert Haslam, British Coal chairman.

Mr Richard Loasby, former senior clerk at 2 Hare Court, Temple, has not retired as stated on May 14. He has been appointed senior clerk to the chambers of Mr Alan Tyrrell, QC.

Doctors win approval to advertise services

By JILL SHERMAN, SOCIAL SERVICES CORRESPONDENT

FAMILY doctors were given the go-ahead yesterday to advertise their services on television, radio and in newspapers to attract patients.

The General Medical Council, which has been opposed to the idea since it was founded in 1858, accepted that the move would be in the public interest. It issued a warning, however, that GPs would not be allowed to "promote" their services. They could not claim superiority to other practices or say that they provided services that others did not.

If the advertisements included promotional material, or GPs attempted to recruit patients through "cold calling" either by visits or telephone calls, they could still be liable to disciplinary action. Mail shots by GPs advertising practice facilities will be allowed, but only in the local area.

The new policy, which takes effect from today, comes after a recommendation from the Monopolies and Mergers Commission in March 1989 that GPs, though not specialists, should be allowed to advertise their services.

The Office of Fair Trading immediately asked the General Medical Council to revise its guidelines - which banned advertising - within six months, but the deadline was extended after lengthy discussions with the council.

The GMC had feared that advertising would exploit vulnerable sick people, but yesterday Sir Robert Kilpatrick, its president, said that most people were in good health when they chose a GP.

The council will now encourage GPs to publish practice leaflets giving factual information about their qualifications and services, surgery times and possibly a statement about their approach to medical practice.

It also hopes that both health authorities and family practitioner committees will produce comprehensive leaflets of both NHS and private practices in the area, allowing patients the chance to compare the services provided.

"There is a general requirement that any advertising must contain only material which is legal, decent, honest and truthful. In addition, doctors publishing information about their services should not abuse the trust of patients or attempt to exploit their lack of medical knowledge," the GMC said.

"They must not offer guarantees to cure particular complaints, and no claim of superiority should be made either for the services offered or for a particular doctor's personal qualities, qualifications, experience or skills."

The decision to reverse the GMC guidance comes after a recommendation from its standing committee on professional conduct and medical ethics. The council backed the committee at its annual meeting yesterday afternoon despite a warning by Dr John Marks, chairman of the British Medical Association, that some patients would suffer.

"Let us not kid ourselves. A tiny minority of doctors will abuse the system and a few patients will suffer," Dr Marks said.

Dr Lotte Newman, of north London, said she was concerned that unsolicited leaflets from doctors would be pushed through patients' letterboxes. "It diminishes our profession. It makes us look like pizza parlours promising quick delivery," she said.

Mr Alexander Carille, a barrister MP and lay member of the GMC, said: "I belong to a profession that has been dragged in wigs screaming into the modern world. Having arrived there we have had no difficulties with it at all. There is no evidence that the introduction of advertising has done anything other than improve the services available."

Dr Donald Irvine, chairman of the standards committee, emphasized that most people were in good health when they chose their GP and should be provided with full and accurate information of the services available to them in their area. "In contrast, when people need specialist treatment they are often very ill and vulnerable and need expert advice from their GP about the treatment that will be best for them."

Under the new GMC guidance, specialists will not be allowed to advertise but they will be able to keep GPs informed about the services they can offer and to publish their names and qualifications in national and local directories.

Incentive scheme to cut GPs' spending

FAMILY doctors are being asked to "volunteer" for a scheme to give financial incentives to GPs who under-spend the drugs budget they will be given from April next year (Jill Sherman writes). The money saved would be spent on improving medical facilities in their area.

A working paper published by the Department of Health yesterday confirmed that the drugs budget would not be cash-limited and GPs would be allowed to exceed their indicative budgets for clinical reasons.

Mr Kenneth Clarke, Secretary of State for Health, said: "Under this new scheme [indicative prescribing] doctors will be able to continue to prescribe the necessary drugs for all their patients. The aim... is not to deprive sick people of the medicines they need. We do aim to eliminate wasteful and unnecessary expenditure on drugs."

The White Paper on health reforms initially suggested that all family practitioner committees - which administer GP practices - would be able to keep 50 per cent of any savings on the budgets of GPs in their area; GPs would be penalized for over-prescribing.

When the Government decided to drop that plan the incentives and penalties seemed inappropriate. Ministers, however, were anxious to include some element in the scheme that would encourage doctors to prescribe cost-effectively and "put downward pressure" on the drugs bill. Although GPs will be given budgets there will be little incentive to stick to them apart from peer pressure.

The working paper proposes to set up a limited number of voluntary local incentive schemes: any local medical committee can present its family practitioner committee with a target-saving for prescribing costs in its area.

"To ensure that the scheme does not result in under-prescribing the LMC will need to be satisfied that such a target-saving is achievable without detriment to patient care," the paper says.

The savings target would be set lower than the national prescribing budgets set by the family practitioner committees. If the target was achieved half the sum would be given to the committee to spend on primary care projects in the following year.



Robert Patrick Peter Laird face to face with Professor Robert Edwards, the in-vitro fertilization pioneer of the Bourn-Hallam group, Cambridge, in London yesterday to meet the team that made his birth possible. Baby Robert, named after the professor, the late Patrick Steptoe, and Mr Peter Rizz, who led his parents' successful treatment programme, is the group's 2,500th assisted conception baby

Junk mail curb 'disappointing'

By DAVID SAMPSTED

TOO few people know about an organization which enables them to have their names taken off "junk" mailing lists, Sir Gordon Borrie, the Director General of Fair Trading, said yesterday. He called on industry, including the Royal Mail, to invest far greater amounts of money so that the Mailing Preference Service (MPS) can become a widely used and effective deterrent.

Addressing the annual luncheon of the MPS in London, Sir Gordon called for a national publicity campaign to publicize it. The MPS was set up in 1983 but at present has only 311,000 names of people who have expressed a desire not to receive junk mail.

"If we used the take-up rate as an indicator of success, we would have to conclude that the disappointingly low level shows that it has not been the success that it could and should have been," he said. "I believe that this low level of usage by the public is more likely to reflect a lack of knowledge of its existence than any lack of discontent with direct mail."

Although there had been a recent upsurge in public interest in the work of the MPS, Sir Gordon called for an effective publicity campaign which would have to be properly resourced.

"To publicize the existence of the MPS without increasing the resources available to it would be counter-productive. If it could not keep pace with demand the MPS would be discredited," he said.

At present, the MPS is funded by such organizations as the British Direct Mail Association, the Association of Mail Order Publishers, the Mail Users' Association and

Boy killed tyrannical father

A BOY aged 11 killed his father with a shotgun after suffering years of physical and emotional abuse.

The man was a "maliciously cruel tyrant" who had reversed a tractor over his son when the boy was aged only three, causing severe leg injuries, Preston Crown Court was told yesterday. Mr Richard Henriquez, QC, for the defence, said the father reversed a dumper truck over the boy three years later.

The boy, who was ordered by Mr Justice Ewbank not to be named, pleaded not guilty to murder, but guilty to manslaughter on the ground of provocation. He was ordered to be kept in the care of the local council who might decide he can return home later.

Mr Henriquez said the dead man, a retired horse trader aged 70, subjected his son to ill-treatment and appalling conduct almost daily. "He administered a reign of terror, was habitually drunk and had an uncontrollable temper."

Mrs Helen Grindrod, QC, for the prosecution, said the boy shot dead his father on January 10. He had since been threatened by half-brothers and had suffered nightmares in an assessment centre.

Mr Henriquez had asked the judge to grant a supervision order allowing the young boy to go home to his mother's "love, care and affection which she would have liked to have given him for the past 12 years."

Cut grass the nation's aroma

By NICK NUTTALL, TECHNOLOGY CORRESPONDENT

THE definitive aroma of the British Isles has been synthesized by scientists as part of a project to create the national smells of the European Community.

A whiff of old Blighty, it is claimed, can be so overwhelming that many a hard-bitten expatriate is left reaching for his handkerchief and books the next flight home.

The definitive aroma of the nation is neither roast beef, Yorkshire pudding, a London ale or Lancashire cheese. Instead, two basic chemicals, cis-3-hexenol and trans-2-hexenal, are enough to conjure the Dover cliffs, the scientists behind the scheme say.

"These are leaf alcohol and leaf aldehyde, the molecules produced when grass is freshly cut," Dr Michael Moiseff, said. The Toulouse-based biotechnologist has been commissioned to produce the perfumes for an exhibition, being billed as an "olfactory evocation" of Europe's diversity, which has opened near Strasbourg.

"You have so many golf courses, gardens and parks that freshly cut grass is the most evocative aroma of your country," Dr Moiseff said. He calls himself an aroma sculptor and is a specialist in the way plants communicate with scent.

As part of the exhibition, at the Alsace Museum of Posts

Climate changes are real, meeting told

By RUTH GLEDHILL

PEOPLE should not be lulled into a false sense of security by revised forecasts which suggest that temperature and sea level rises brought about by global warming will not be as high as it was at first thought, a conference at the Royal Geographical Society in London was told yesterday.

Even small rises in temperature in Britain could cause dramatic changes in the landscape as a result of altering flood, drought and rainfall patterns, according to scientists at the conference. In America, serious effects of global warming are already being felt. In the Antarctic, which is especially sensitive to warming, temperatures have risen at a rate faster than anywhere else in the world.

Dr David Drewry, director of the British Antarctic Survey, disclosed for the first time at the conference the result of recent measurements, which show a rise in temperature in the Antarctic over the past four years of 0.065C a year, nearly six times as fast as temperature rises measured at weather stations throughout the southern hemisphere.

He said that the sea, which has risen about 30cm over the past 100 years and is expected to rise another 30cm in the next century, could rise by twice as much as a result of melting of the ice sheet.

Professor John Lewin, professor of geography at the University of Wales, Aberystwyth, and one of the conference organizers, said that even a slight temperature rise on the boundary between frozen and unfrozen areas could be critical. Oil pipelines lying over frozen ground could be damaged and distorted by erosion, rising temperatures could destroy coral reefs in the tropics and in Britain, this year's winter storm could become the norm. That would lead to big changes in the landscape, as flood waters speed up bank erosion, carve out new river channels and spread sediment.

Professor Malcolm Newson, of Newcastle University, said the effect of cultural activities on rivers in Britain are "minor" compared with those of the climatic fluctuation now predicted. There was a need to relocate people and businesses from flood plains, and, when that is not possible, to perfect early weather warning systems so people could be evacuated from threatened areas within an hour.

"If the climatic projection is correct, the north and west of Britain can expect more flooding as a result of rainfall," he said. Flood plains in the south and east can expect more flooding from the sea, while the south of England and eastern Scotland would become drought areas with less rainfall. "Some northern and western rivers could change course dramatically by the year 2050, simply because the movement of sediment will increase with the increased power of flooding."

In America sea levels have risen by 1ft each 100 years on the mid Atlantic coast where the federally insured flood programme has billions of dollars of insured properties close to the water's edge, the conference was told. Professor Stephen Leatherman, of the Centre for Global Change at Maryland University, said about 90 per cent of the US's sandy beaches were being eroded. The Atlantic coast average erosion was between 2ft and 3ft a year, and the Gulf coast exceeded 5ft a year, but the Pacific coast was stable. "Accelerated rise due to the greenhouse effect will at least double and perhaps quadruple erosion rate," he said. That would further jeopardize vulnerable properties, eventually resulting in massive destruction during a future storm.

French air controllers threaten holiday flights

AIRLINES were drawing up contingency plans last night to beat a planned strike by French air traffic controllers which threatens to disrupt flights to the Mediterranean and Paris over the Bank holiday weekend (Harvey Elliott writes).

The French controllers have chosen the weekend to take industrial action when British schoolchildren begin their half-term break and motor-racing enthusiasts throughout Europe flock to Monaco for the Grand Prix. The Paris controllers plan a strike on Saturday, Sunday and Monday which, if it goes ahead,



Colonel Aleksandr Shvachkov, deputy director of the Central Armed Forces Museum, Moscow, on board a Russian personnel carrier presented to the Tank Museum, at Bovington, Dorset. With him are two Tank Museum staff

Scientists close in on the secret of eternal youth

By PEARCE WRIGHT, SCIENCE EDITOR

THE prospect of extending the human lifespan to "five score years and ten" by injecting "longevity genes" is no longer a matter of idle speculation, according to a leading scientist.

Researchers seeking cures for disorders associated with ageing, such as skin cancer, think they are closing in on the basic mechanisms that determine longevity.

Professor Barbara Gilchrist, of Boston University School of Medicine in the United States, believes a handful of master genes orchestrate the 50,000 or more genes that contain every individual's blueprint and regulate growth. She suggests that life could be prolonged by injecting replacement master genes as people grow older.

The theory, outlined at an international conference in London yesterday, grew from laboratory experiments to regulate the lifespan of mice, the success of a drug to smooth wrinkles and discoveries made from a genetic comparison of skin cells in young and elderly people.

One of the key pointers was the success of

trials of smoothing wrinkles with a drug based on retinoic acid. The preparation, derived from vitamin A, was developed 25 years ago and is an established treatment for severe cases of acne.

Doctors noted that the skin of older patients benefited greatly when retinoic acid was applied as a cream. The first controlled trial of its anti-ageing effects began in the United States two years ago, in 30 subjects between 35 and 70 years of age. Coarse wrinkles were smoothed, skin became smoother and sun spots disappeared in enough of the volunteers for a bigger experiment. While confirming the first results, the scientists were unable to explain the biological mechanism for the apparent anti-ageing process.

Professor Gilchrist told the conference, Clinical Dermatology in the Year 2000, that subsequent studies had shown that retinoic acid worked with DNA in certain skin cells to restore growth processes that had slowed in older people but the researchers were still exploring the precise biochemical steps involved in such a reversal.

In that search, Professor Gilchrist's group has identified one of the key changes between

young and older people in comparing the activity of a group of important cells known as T-cells, which are renewed routinely but which have lives of up to 10 to 20 years.

The studies show that the biochemical activity of the cells declines with age as if they were responding to a pre-programmed operation.

Retinoic acid smooths wrinkles by increasing the production of the epidermal cells which comprise the outer layer of the skin, so that replacement by new cells keeps up with the normal loss of wear and tear. Elderly skin of some volunteers, which had thinned with the effect of sun and age, was restored to the thickness of a younger person, producing a smoother and more compact texture.

The effect in smoothing out coarse wrinkles that involve a deterioration of deeper structures of the skin is a greater mystery for the scientists to explain. In addition, the molecules called melanocytes that form the blotchy patches in skin that is older, or has been over-exposed to sunlight, were reduced. How long these changes can be sustained is unknown.

Furthermore, retinoic acid can provoke side-effects in some people, producing a

severe skin reaction. Hence, Professor Gilchrist emphasized that the preparation should only be used on prescription only for serious skin disorders.

She did, however, say that advances in medicine, nutrition and changes of life style already meant that by the year 2000 the proportion of the population over 65 years would be four times higher than at the start of the century, and survival into the nineties would be commonplace.

If the idea is correct, identification of the master genes that orchestrate the ageing process would probably come from the Human Genome project in which international research teams have begun task of pinpointing and unravelling the chemical structure of the all the genes, she said.

The understanding, so far, has come as a bonus from the research essential to cope with the increasing number of elderly patients who will be seeking medical help. One in 10 visits to the family doctor in the is for a skin-related disorder.

BULGARIANS LIVING IN THE UK TO PARTICIPATE IN ELECTIONS

The Embassy of the P.R. Bulgaria in London announces that elections for a Grand National Assembly of Bulgaria are due to be held on 10 and 17 June 1990.

In accordance with the Act for the election of a Grand National Assembly and the decisions of the Central Electoral Commission only one round of elections will be held abroad, on 10 June.

Besides those Bulgarian citizens working in the country's diplomatic, consular and trade missions or for Bulgarian companies, people having an individual employment contract with a foreign company or organisation and are duly registered in the Consular Section of the Embassy, Bulgarian citizens residing abroad for studies or on specialisation courses, entitled to vote are all Bulgarian citizens permanently residing in the UK on the basis of a mixed marriage and all those who have lived abroad for more than five years.

Those wishing to vote should have their names registered in the electoral lists. For this purpose they will have to inform the Embassy's Consular Section by sending their full name, date and place of birth, permanent address and the number of Bulgarian passport, not later than 2 June. This could be done either personally or by text, telex and telegram.

Bulgarian citizens on a short visit to the UK are supposed to vote in Bulgaria unless they have a special certificate to vote abroad.

The polling in the UK will take place at the Bulgarian Embassy, 187 Queen's Gate, London SW7 5HL, on 10 June 1990, from 7.00 a.m. to 7.00 p.m.

Bulgarian passport is required as the voting has to be registered in it.

For more information please call the Embassy on Tel. 071-584 9400/9433, 071 581 2144/5/6/7/8/9, Fax: 071 584 4948, Telex: 25465.

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treatment

Long
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Police give minister the silent treatment

By STEWART TENDLER, CRIME CORRESPONDENT

TWO thousand representatives of Britain's police greeted the Home Secretary with a deliberate, stony silence as he spoke at the Police Federation's annual conference in Scarborough yesterday.

Mr David Waddington, speaking at the conference for the first time, ignored the treatment and later said the conference was entitled to make its point strongly. "There is no cause for resentment. I put my views robustly in reply. I have a broad back," he said.

The decision to snub the minister — a Labour Home Secretary was given the same treatment 13 years ago — was taken in a private session of conference by delegates irate about policing policies and the way the Home Office has overridden proposed new housing allowances.

In sharp contrast, the federation gave its chairman, Mr Alan Eastwood, a stand-

ing ovation lasting several minutes after a speech in which he accused the Government of betrayal by undermining morale. He told the Home Secretary: "It is time to speak up for Britain's bobbies. Mr Waddington, Mrs Thatcher, we ask you: what price loyalty?"

As silence then settled, the minister lightly noted that the conference had a tradition of not applauding home secretaries, which was good because it meant everyone could get to lunch earlier. He then declared that it was time for the police to stop complaining and to recognize how well off they had become.

Fledgling continued government support, Mr Waddington said, since 1979, spending on the police had risen by 59 per cent over and above inflation. Pay had increased by 41 per cent. "That is the price of loyalty," he told the conference. Police strength



Voice in the darkness: Mr David Waddington's speech to the Police Federation was greeted with determined impassiveness in a protest over government "disloyalty"



had risen from 109,000 in 1977 to 126,000 this year.

"This Government's consistent and constant support for the police since 1979 has changed the picture overwhelmingly for the better and I have to say you know it," the Home Secretary said. But no home secretary could give the police everything. Proposals for housing allowances put forward after arbitration had to be turned down. Last year,

London officers received an increase of 57 per cent and in Warwickshire the rise was 67 per cent, which bore no relation to the true rise in living costs. Changes had been made after calls from the federation but nothing more could be done. It was time to accept the situation and get on with other things.

In a speech promoted as an outline of policy, Mr Waddington ruled out any ques-

tion of turning to an officer class or of a national or regional policing system, but he did not rule out amalgamations of smaller forces.

Speeches by home secretaries are usually applauded at appreciated points and end with an ovation. Mr Waddington sat down to silence.

He later continued to defend his decisions on police housing, noting that young officers in London could be

earning £20,000, including substantial allowances which were not taxed.

In his speech, Mr Eastwood told the conference: "When morale is attacked by those who have a duty to maintain it at the highest possible level, the only suitable word that comes to mind is betrayal." Thirteen years ago protest had led to the Edmund-Davies report on pay and conditions. The Government talked about

the improvements of the past decade, but others have done equally well — including politicians and ministers. MPs were not finding difficulties in recruiting and were generously treated.

"It's a bit rich to try and justify what has been done to us on the grounds the police are overpaid," he said. No one worried about police pay when officers were called in to take over from striking prison

officers or ambulance drivers. After the speeches, Mr Eastwood disputed some of the Home Secretary's figures, saying the federation would not give up its fight on the issue of allowances but would look to Parliament and a judicial review. If all else failed, future conferences might well talk of becoming a proper trade union.

Legal changes, page 12

London failing to win crime battle

By QUENTIN COWDRY, HOME AFFAIRS CORRESPONDENT

POLICE and London's citizens are failing to win the battle against crime in the capital, according to figures released yesterday. They show that recorded offences have risen by 36 per cent since 1979, while clear-up rates have slipped from 20 per cent to 17 per cent.

In publishing the Metropolitan Police's 1989 report Sir Peter Imbert, the force's commissioner, said that his staff had achieved a record "output". Arrests and detection rates stood at historically high levels, along with calls for assistance. More officers had been put on the beat.

Close reading, however, of the report shows that Sir Peter was anxious to put the best gloss on the difficulties a rising crime rate is placing on his force. An overview of London crime statistics in the report shows that the overall clear-up rate was higher at the start of the Second World War than last year. In 1939, 26 per cent of the 94,600 offences recorded were solved, compared with 17 per cent of the 716,500 offences recorded in 1989.

A crime which is cleared up is defined by police as one where a suspect is either charged, cautioned or summoned. It also applies to offences taken into consideration by courts when sentencing crimes committed by juveniles under the age of criminal responsibility and offences admitted by prisoners.

The ability of the police to clear-up around a quarter of recorded crimes stayed constant between 1939 and the mid-1970s, according to the overview, but seems to have dipped in the late 1970s. In 1979 only 20 per cent of the 557,400 recorded offences were solved.

Detection rates for most of the main crime categories deteriorated between 1979 and 1989, the only exceptions have been sexual crimes.

Crimes cleared up

	1979	1989
Violence against the person	55	59
Sexual offences	52	51
Robbery	23	15
Burglary and going equipped	12	9
Theft and handling stolen goods	20	15
Fraud and forgery	60	43
Criminal damage	14	12
Other	60	54
Total	28	17

*After 1989 this group includes gross indecency with a child. †After 1989 this group includes trafficking in controlled drugs.

Housing a constant source of friction

HOUSING allowances, one of the main issues causing friction between the police and the Government, is likely to continue to dog the relationship for some time to come (Stewart Tandler writes).

Police have a rent allowance calculated roughly on the rent of a standard house in their force's area plus an element included for rates. They have also received compensation for tax paid on the allowance. The system was reviewed recently and went to arbitrators, who suggested a housing allowance that would also go to officers living in police homes. Those officers had been living free but would now pay rent. All officers would pay the poll tax, and the housing allowance would be reviewed based on a formula including the retail price index and house prices in bands across the country.

The Home Office turned down the arbitration although the police say that could be done only for reasons of the "national interest" under agreements. The Home Office has made some concessions but is insisting overall that serving officers will continue to get their money as at present, but it will not be increased until the new allowance system catches up with it.

The new system will apply to new officers. The formula for the housing element will be based on the old rent allowance but without the money that was included for rates or the cash to offset taxation. Increases will be based only on the RPI and reviewed every two years. Officers in police houses will get nothing.

Workers in other emergency services have no housing allowance. Firemen are provided with free uniforms and can claim medical allowances for certain prescriptions and treatment. They are able to have medical charges incurred at work reimbursed, if those are covered under the National Health Service Act of 1977. A fireman, on an average salary of £13,125 after four years' service, must pay nearly 11 per cent of his wages into a pension fund. Lower-ranking firemen must retire at 55.

Ambulance workers receive free uniforms and travel allowances. In London, the travel allowance is about £1,300 a year and is added on to salaries. The Department of Health said hospital doctors and nurses receive no allowances for medical care or accommodation. Nurses are charged for their lodgings by the National Health Service.

WHAT HAS THE NEW MONTEGO LX GOT OVER THE COMPETITION?

(HERE ARE A FEW POINTERS.)



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THE NEW MONTEGO LX. IT'S ELECTRIC.

Prison officer attacks 'Maggie's boot boys'

A PRISON officer yesterday accused police of being "Maggie's boot boys" and urged them to refuse to act as strike breakers.

Mr Terry McLaren, Wandsworth branch secretary of the Prison Officers' Association, criticized the role of police during the recent ambulance dispute. Mr McLaren, a Conservative Party member, told the association's annual conference in Portsmouth: "It's high time police officers developed some spine, stood up to the Government and said 'We are no longer going to

be your boot boys'." Later he added: "The police really should not intervene in what are, after all, legitimate industrial disputes."

Mr McLaren, who last year led prison officers during a dispute at Wandsworth when police took control of the south London jail, also accused police officers of heavy-handed treatment of strikers and pickets. "It started with the miners' strike when police really were seen as Maggie's boot boys and we've seen it with other disputes since — at Wapping, for example."



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Curriculum 'won't solve literacy problems'

By DAVID TYTLER, EDUCATION EDITOR

LEGALLY enforced tests of children's ability to read and write, as demanded by the Government through the National Curriculum, are unlikely to improve the literacy of at least one million teenagers who say they have difficulty in reading and writing using correct spelling.

Mr Alan Wells, director of the government-financed Adult Literacy and Basic Skills Unit (Albsu), says: "It is not enough to know what is wrong with an individual child. We must know how to put it right. Most teachers can tell you what is wrong, what we need to know is how we can put it right."

Mr Wells, a former teacher, emphasized that the findings should not be taken as proving there were more illiterate teen-

agers now than in the recent past. He said: "It would be easy to blame the schools but children are affected by their parents, even employers. There are older people coming to our units taught by traditional methods."

Mr Wells said a survey of 1,000 people aged between 16 and 20, published yesterday, which showed that one in four young people in England and Wales admitted to having reading problems and more than one-third had difficulty with spelling, should not be used to give a national picture of illiteracy.

The figures from the limited survey, where people were asked to judge their own literacy level, suggested that one million people aged under 20 were finding it difficult to read and write. The latest figures show that about 300,000 adults are completely illiterate. The survey did show, however, that unemployed young people had more difficulty in filling job application forms. One in four of the unemployed said they could not fill forms.

The problem facing Albsu is that 45 per cent of those interviewed said they did not know there were classes where they could learn to read and write and one-third said they did not want to learn.

Mr Wells said: "It would be too simple to blame the schools for failing to teach children how to read and write. If it was just them we could solve the problem."

"There is a mixture of reasons, parents who do not motivate their children to read, homes where there are no books and sometimes, it has to be said, bad teaching. There are older people in our teaching units who also have difficulty in reading and spelling and who have been taught by traditional methods. They cannot read either."

The inability to read and write fluently was felt most by the unemployed. A quarter said they were unable to fill in job application forms. Nearly half - 43 per cent - said they never read books while 99.1 per cent said they read newspapers or magazines.

If the figures of this survey were spread nationally it would mean that nearly a million 16 to 20-year-olds have difficulties with reading while 1.5 million face difficulties with spelling.

The Department of Education last night said the sample was small and relied on "self-reporting". "The National Curriculum will, when it comes through, deal with a lot of these problems. It has measures to improve writing and reading skills," the department said.

Mr John Sutton, general secretary of the Secondary Heads' Association, said National Curriculum tests for 14 year olds were complex and time-consuming but external testing would be welcome.

He told a regional SHA meeting in Redbridge, north-east London: "Standards in the core subjects may be externally moderated if necessary and guidelines on assessment techniques can be offered. Any more than that would impose an impossible burden on pupils and teachers alike. At all costs, let us avoid mad examination disease."

Helicopter airlifts a mountain footpath

ASADOUR GUTELIAN



A helicopter flying in part of a consignment of 120 tonnes of industrial sandstone to a mountain top in the Yorkshire Dales yesterday to repair a footpath worn away by hill walkers. In more than 100 sorties between the summit and a quarry at nearby Ilkley, North Yorkshire, the aircraft ferried one-tonne loads of hardcore allowing workers to lay down more than 30 yards of refurbished footpath an hour (Ronald Faux writes). Pressure from 120,000 pairs of boots a year heading for Ingleborough summit, a popular viewpoint, had transformed the track across Little Ingleborough into a quagmire more than 30ft wide. Specialists from the Yorkshire Dales National Park experimented with a number of solutions and decided to lay a bedding of geotextile buried beneath the tonnes of sandstone, creating the illusion of a natural footpath. The airlift is part of an £800,000 experimental programme in the Three Peaks area, which the Institute of Terrestrial Ecology has described as having one of the worst eroded footpaths in the United Kingdom.

Solicitors move to limit top judges' veto power

By FRANCES GIBB, LEGAL AFFAIRS CORRESPONDENT

A MOVE to stop senior judges exercising a power of veto that would restrict the opening up of the higher courts to solicitors is expected in the Commons today.

An amendment promoted by the Law Society has been tabled to the Courts and Legal Services Bill, now in committee, which would reduce the proposed role of the senior judges under the legal reforms to a consultative one.

The society says that the issue of lawyers' rights of audience - which lawyer can

appear in what court - determines public access to the courts. "That is such a fundamental matter that it must be for Parliament, rather than the judges, to have the final say," the senior judges, the society says, should have a voice, but not a veto.

The society, whose amendment is being tabled by Mr Peter Temple-Morris, Tory MP for Leominster, and former barrister turned solicitor, is concerned that under present proposals the entire aim of the Government's legal

reforms could be thwarted by the senior judiciary.

Under the Bill, the new rules governing the exercise of wider advocacy rights by solicitors will have to be approved by the Lord Chancellor and four senior judges. In its briefing paper to MPs, however, the Law Society says it does not believe "judicial approval of these rules should be required."

"There is a risk that it will lead to Parliament's wish to extend clients' choice of advocate being frustrated, especially as the judges have indicated in their response to the proposals that they are opposed to opening up the higher courts to solicitor-advocates."

The amendment, which is expected to be reached today, would instead require the Lord Chancellor to consider the decision of each of the designated senior judges when deciding whether to approve new rules on opening up the higher courts.

The Government is expected to resist the move, maintaining that the judges had always had a role in deciding who should have rights of audience in the courts. It also says, however, that in reaching their decision, judges will have to heed advice both from the new Lord Chancellor's lay dominated advisory committee as well as from the Director General of Fair Trading.

In the Government's parallel legal reforms proposed in Scotland, a different mechanism is planned by which solicitors will acquire wider rights of audience, which will not involve judges, "keeping them clear of any disputes between the two branches of the profession," the society says.

TUC offers its own credit card

By TIM JONES, EMPLOYMENT CORRESPONDENT

THE TUC yesterday planted its feet irrevocably in the capitalist camp by launching a credit card as part of its strategy of maintaining and improving membership of the union movement.

Introducing the card, which has a potentially large market of more than six million users, Mr Norman Willis, general secretary of the TUC, said: "The credit card is particularly important because it is a modern benefit and a highly visible one. It shows our members and potential members that the unions are moving with the times, and utilizing - dare I say exploiting - the financial system to their benefit."

The card will be promoted "unashamedly and deliberately" as being exclusively for trade union members and is designed to appeal to trade union loyalty.

Mr Willis said the move

concern about easy and excessive credit which could lead to bad debt. To combat this, lower paid members could acquire a card which would have a small credit limit.

"This will still be a useful amount - a good few tankfuls of petrol, for example - but a restraint on overspending and bad debt."

One big attraction of the card, which can be used as easily as any other credit card, is there will be no annual fee. It also offers a very competitive rate of interest. At present the new TUC/Unity Credit Card will have an annual percentage rate 3.5 per cent lower than the TSB TrustCard and 2 per cent lower than Midland Access.

The card has been developed by the TUC with Unity Financial Services, part of the trade union owned Unity Trust Bank group and is a MasterCard issued by the Bank of Scotland.



Mr Norman Willis with a giant version of the card

Virus may be a missing link to Aids

By THOMSON PRENTICE
SCIENCE CORRESPONDENT

IMPORTANT new insights into the origins of the Aids virus have emerged with the discovery of a very similar organism in chimpanzees in Gabon, west equatorial Africa.

Researchers believe it may represent a missing link between the human immunodeficiency virus (HIV) - which causes Aids - and infections in some species of monkeys. The new virus is much more closely related to HIV-1, the most common form of the Aids virus, than any of the related organisms previously detected in monkeys.

Details of the findings are published in today's issue of *Nature*. An article says they represent "the most significant clues to date" on the origins of HIV.

Scientists from the Pasteur Institute in Paris and an international research centre in Gabon identified the new virus in two chimpanzees; they found it corresponded closely with all the proteins of HIV-1. The overall genetic organization of the two viruses was the same and the researchers believe the chimpanzee organism is a distinct sub-type. They suggest that there is a larger pool of related viruses among primates than previously suspected.

A commentary in *Nature* says there have been two possibilities for the origins of HIV-1. The virus may always have been present in humans but gone unrecognized. According to this theory, human migration, extensive travel, sexual promiscuity and the re-use of syringes and hypodermic needles could have triggered its spread.

Alternatively, the infection may have entered the human population by transmission from another species. African green monkeys and other primates have been found to have their own immunodeficiency viruses but these are regarded as distant relatives of the human version.

Scientists have speculated that people became infected through being bitten or scratched by monkeys, or by eating them. The latest findings suggest that HIV may have evolved from the chimpanzee virus, which in turn resulted from infection by monkeys. However, hundreds of captive chimpanzees have been examined and none has been found to be naturally infected with the agent.

The new discovery does not provide a final solution to HIV's origins, says *Nature*, but adds to the "fascinating molecular-genetic game" of unravelling them.

Hospital consultants yesterday urged the Government to provide £10 million towards treating thousands of kidney patients with a new drug which can dramatically improve their condition.

Only about one in five patients are being given the drug, erythropoietin (EPO), because of its high price. A year's treatment costs up to £5,000 and specialists are having to ration its use.

Earlier this week the Department of Health licensed the drug but refuses to provide central funding for it. It has told regional health authorities they must pay for it from their existing budgets.

Science and Technology, pages 33-36

Guide to legal fees gets chilly welcome

THE Bar yesterday was reeling from the news that a publisher proposes to push the profession into the next century with a guide that will list barristers' fees, famous cases and hobbies (Frances Gibb writes).

The guide, like a legal version of *Who's Who*, is from the Havers family stable and is believed to have the support of the former Lord Chancellor, Lord Havers. It has already run up against the conservatism of the profession, and barristers at a number of London chambers were angry at the prospect of being made to disclose charging rates and other details not generally in the public domain.

The publishers of the guide said they had taken an "aggressive" approach and barristers who do not comply with the questionnaire asking for specified details on charging rates will be listed in the guide as having declined to do so. Yesterday Mr Nicholas

Purnell, QC, chairman of the Criminal Bar Association, said: "This is an interesting bit of private enterprise but I am not prepared to be dragged into giving information for commercial reasons."

Although the Bar's code of conduct permits barristers to publicize charging rates, only one set has done so. It also permits mention of cases in chambers' brochures with the client's permission, but few have taken advantage of this. The directory invited barristers to "blow their own trumpet." Mr Purnell said: "But the Bar has traditionally been a referral profession. Barristers rely for their reputation on their professional clients."

Mr Nicholas Stewart, QC, a member of the Bar Council, said yesterday that though he did not think the Bar would co-operate, his chambers, the only one to have disclosed fees, had no objection to giving that kind of information.

Chief Rabbi urges training to prepare for marriage

By KERRY GILL

LORD Jakobovits, the Chief Rabbi, yesterday suggested that couples should undergo a form of training to prepare them for the potential pitfalls of marriage when he addressed the General Assembly of the Church of Scotland.

In his speech, the first by a Chief Rabbi to the assembly, Lord Jakobovits said that the coming decade posed greater challenges to religion than ever before.

Citing the present parlous condition of marriage, he said: "The family has become a disaster area. Its widespread breakdown exacts a higher social and economic cost by fuelling crime, and drugs and drink addiction, than any Aids epidemic. Perhaps we should insist on pre-marital training before we issue marriage licences."

Lord Jakobovits said: "We need to intensify the reverence for human life before birth by respect for the embryo and before death by opposing euthanasia, if the horror of violence and murder is to make our society safer."

"The challenge is to turn the aim of life from having a good time into making the times good. Religion must play a key

role in this regeneration for the betterment of the human condition," he said. Lord Jakobovits also expressed the grief of Jews at the present troubles in the Middle East.

The assembly called on the Government to reconsider hastily community charge legislation to help the poor and also to overturn its recent decision to freeze child benefit. The Rev Norman Shanks, convener of the church and nation committee, which presented a report on social deprivation, said poverty and the ever-widening gap between the rich and the poor was "an offence to our national conscience."

Mr Shanks said that the church had to break free of all political ideologies whether of the right or left. "Alarmist statements about the hijacking of the Kirk by the political left must be exposed for the tendentious and ridiculous nonsense they are," he said.

"The existence of poverty, the widening gap between those who are well off and those who are excluded from so much that the rest enjoy is an offence to our national conscience and we in the church shall be judged by our

response." The assembly said that the Church should ask the Government to bring income support into line with family credit by disregarding child allowances when calculating benefit levels.

One minister, the Rev Gordon McCracken, said the assembly should support the abolition of child benefit to all families and, instead, redirect money to families that were genuinely in need. Many recipients of benefit did not need allowances, he said.

The Kirk gave full backing to the fight to save the Ravenscraig steel complex at Motherwell after a lengthy debate in which ministers said closure would have a devastating effect on Scottish industry.

The Rev Alexander Lawson said: "Twenty-five per cent of the population of the west of Scotland are employed in industry, where steel is the primary raw concern. Experts estimate that at least 15,000 jobs will disappear if Ravenscraig closes." He said that while the steel industry had been neglected in Scotland, almost £400 million had been invested in England. Canon Kenyon Wright urged the Church to voice its support.

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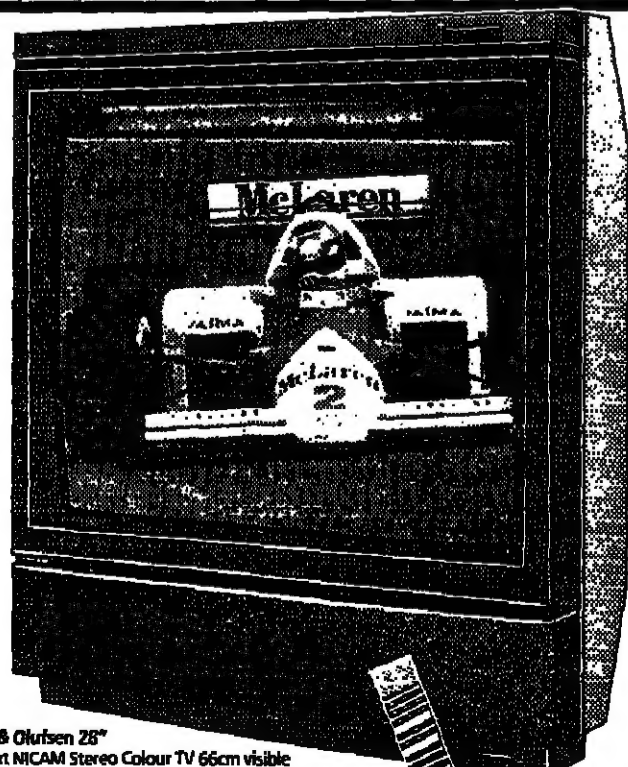
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Brooke strategy paves the way for Ulster inter-party talks

By EDWARD GORMAN
IRISH AFFAIRS CORRESPONDENT

THE leaders of Northern Ireland's unionist community are now closer to opening talks with their nationalist counterparts than at any time in the past four and a half years, a senior Unionist politician said yesterday.

Mr Peter Robinson, deputy leader of the Democratic Unionist Party, an avowed devolutionist and regarded as among the most progressive of Unionist MPs, said Ulster was now "well on the way" to inter-party negotiations. He said the province was closer to talks than at any stage since the signing of the Anglo-Irish Agreement in 1985.

Mr Robinson's upbeat assessment in

Belfast came in the wake of the latest round of negotiations between Mr Peter Brooke, Secretary of State for Northern Ireland, and the two Unionist leaders, Mr James Molyneux, of the Ulster Unionist Party, and Mr Ian Paisley, of the DUP, in London on Tuesday.

Those talks ended with what observers regarded as an extraordinary display of contentment on the part of Mr Molyneux and Mr Paisley, who described themselves "well satisfied" with the outcome. Mr Molyneux also talked of a "real prospect of success" and hinted that he had made some headway on the Unionist demand that the Anglo-Irish Secretariat at Maryfield outside Belfast, which serves the Anglo-Irish Conference, be suspended. Yesterday Mr

Molyneux hinted further, in a brief statement, that he and Mr Paisley may now be reaching the end of the exploratory round of talks and were preparing to enter the next phase of bilateral exchanges with the Secretary of State. "We have reached the final meeting in the series and are well satisfied with the result," it said.

However, with all parties to the process including the Irish Government maintaining a strict silence yesterday — itself regarded as highly significant — political circles in Northern Ireland were speculating on what exactly happened in London. Since Mr Brooke began this process in January, with the ultimate aim of securing inter-party talks in Ulster on a future devolved administra-

tion, he has accommodated in turn two pre-conditions laid down by the Unionists. First, he declared publicly that the Government was prepared to consider an alternative to the Anglo-Irish Agreement and second, he agreed that the normal summer gap between meetings of the conference could be defined in advance and utilized as an opportunity to open negotiations.

The stumbling block until Tuesday was the third Unionist demand for a suspension of the workings of the Secretariat, a concession on which the Social Democratic and Labour Party and Dublin are reluctant to give ground because they believe that to do so would be to give the impression that the agreement itself is in jeopardy. Some

observers were speculating that Mr Brooke had made an offer to Mr Molyneux and Mr Paisley in London which largely satisfied the spirit of their pre-condition even if it fell short of a complete suspension of the Secretariat.

For example, Mr Brooke may have offered, presumably with prior agreement from Dublin, to redeploy one civil servant each from the four-strong Irish and British contingents at Maryfield, while at the same time offering publicly to declare that article 3 of the Anglo-Irish Agreement, which defines the role of the Secretariat, is put on ice during the period that any talks are in progress.

Other observers suggested that the Unionists may even be preparing the ground publicly for a possible collapse of

the process, which they will seek to distance themselves from and blame on the intransigence of Mr Brooke and/or Dublin and the SDLP over their insistence that the Secretariat be suspended. Mr Brooke has impressed politicians of all shades of opinion in Ireland with his careful persistence. As one nationalist politician put it: "He's got the Whitehall touch."

Mr Brooke will now consult the SDLP and Dublin before proceeding. Mr Molyneux is a convinced integrationist and Mr Paisley will not share power. These are points of principle which do not sit easily with the Government's overall ambition of creating a new devolved government in Northern Ireland.

MPs want fraud check on £8bn jobs training fund

By SHEILA GUNN, POLITICAL REPORTER

GOVERNMENT payments totalling £8.8 billion towards running training schemes for the young and unemployed are open to fraud, the Commons public accounts committee said yesterday.

The MPs said that the checks on how managing agents handle public funds fall short even of the Department of Employment's minimum standards and no proper records are kept of known and suspected fraud. The committee was told of suspected cases of corrupt transactions involving false wage claims worth more than £375,000 by those running the projects.

After investigating the training schemes it said: "Financial monitoring was not always accorded high priority and there was a lack of adequately trained staff, with the result that monitoring was frequently not of sufficient depth to substantiate the accuracy of agents' claims. There

are also serious shortcomings in the adequacy and accuracy of some managing agents' records."

After examining training schemes operated by 5,000 managing agents for nearly 700,000 young people and unemployed adults, the committee also expressed dismay at the low number of trainees who went on to find the jobs they had been trained to do on government-sponsored schemes.

For example, only 32 per cent of those training in building and construction work found jobs in that sector between May 1986 and April 1988. The department's latest figures, however, showed that about 86 per cent of those completing Youth Training Scheme got jobs and 64 per cent received qualifications.

The cross-party committee said: "We recognize that well thought-out schemes of training should provide fun-

damental skills that are not too narrowly focused, but we are not convinced that the number of trainees obtaining jobs in sectors other than those for which they have been trained is necessarily a fair reflection on the training provided."

"Thus, while we acknowledge that there have been recent improvements, we remain concerned at the relatively low numbers of trainees who enter occupations related to their training. We consider that one major measure of the success of the department's training schemes should be the extent to which they have provided employers with skilled workers."

A 1988 departmental review found wide variations in the competence and qualifications of managers who were given responsibility for running the training schemes, with many work-place supervisors having little knowledge of the Youth Training Scheme's objectives. But after the initial teething problems, the committee welcomed improvements and hoped it would result in a big rise in trainees receiving qualifications.

"The department acknowledged that ensuring the competence of trainers was a problem in an important area and one where they had started weakly but were becoming very much stronger," the report said.

Only 25 applicants from potential trainers out of 3,184 were rejected. In addition, the department added that half the applicants were given only provisional training status until they improved their standards. A further 166 later withdrew their applications.

The department is setting up 61 accredited training centres across the country, costing about £8 million a year, for instructing the trainers and supervisors. In spite of assurances from officials, the committee called for more regular inspection visits to check on the standard of training being given under the Government's schemes.

The committee also criticized the lack of a "good intelligence system" in many area training offices about the local jobs available. If a proper overview was carried out, training could be more closely geared to local and national skill shortages.

The new Training and Enterprise Councils will have a soundly based labour market information system to contact. In evidence to the committee, however, department officials said that firms considered their employment needs for only nine to 12 months ahead while the department had to consider equipping young people for a proper career.

The committee discloses that fees are sometimes paid to training managers even when a trainee does not turn up. It complains that details are not kept about unfilled places.

Provision of Training through Managing Agents: Committee of Public Accounts 15th report, Department of Employment (Stationery Office, £7.15)

Scots workers 'on lowest pay'

By a STAFF REPORTER

LOW pay in Scotland is increasing, with almost half the employees in the region earning less than the threshold figure of £4.16 an hour or £157 a week. According to the first annual report of the Scottish Low Pay Unit presented in Edinburgh yesterday, if over time is included the level of low pay "reaches frightening proportions with more than half of them below the threshold for a 37.7-hour week".

Workers are, says the report, "being illegally underpaid but are too afraid of victimization or dismissal to make a complaint against their bosses". The report states that at 33.6 per cent, Scotland is the region with the highest proportion of low paid full-time workers in Britain.

Commenting on the report, Miss Morag Gillespie, the director of the unit, said: "The steady stream of inquiries to the unit has revealed that many workers find themselves in an increasingly vulnerable position. It is totally unacceptable that any workers should feel unable to pursue their legal rights for the want of basic employment protection."

Many of the new jobs being created in the country are in sectors where low pay and poor conditions are commonplace.

Instances of low pay given in the report include a single parent with three children who was working as a cook for £1.98 an hour. She commented: "After I have paid all the bills I cannot even afford shoes for myself."

A security guard on a building site said: "Over the weekend I only get four hours' sleep so by Monday I'm dead. For that I get the princely sum of £1.25 an hour." A relief janitor, aged 52, earning £73.60 for a 40-hour week, said: "I am a registered disabled person. One of my duties is conveying toxic waste on a trolley, including ether and cyanide. I wasn't given any protective clothing, I had to buy it myself."

Another security guard, earning £1.83 an hour for 12-hour shifts — day and night — said: "When complaints are made regarding pay you are told that 'if you don't like it, leave — we can always get someone to do your job'."

Feast of modern art to grace British Library

THE new British Library at St Pancras launched an ambitious £1 million contemporary art scheme yesterday whereby it will be festooned with the art of the 90s (Sarah Jane Checkland writes).

More than a hundred locations within the library, which is due to open in 1993, will be chosen. Mr Michael Smithurst, chairman of the project's selection committee, said: "We want to share with our visitors the splendid collection of art bequeathed to us by earlier generations, as well as seeking out the finest talents

of our own generation."

The Scottish-Italian sculptor Eduardo Paolozzi has already been commissioned to do a large bronze statue of Sir Isaac Newton, which will grace a piazza. The entrance hall will have a huge tapestry taken from a painting by the American-British artist R.B. Kitaj inspired by a number of literary and artistic works.

The committee is approaching groups of artists for their ideas for other sites. Mr Richard Luce, Minister for the Arts, has promised support for joint incentive funding.

Sweet life beats Gibraltar's apes

By JOHN HILL

THE years of peace and package holidays have not been kind to the apes on the Rock of Gibraltar. They muddled through wars and epidemics in an endearing British way, but overfed by tourists has finally demoralized them.

Sated by Smarties and other disastrously addictive treats, the 21-strong Queen's Gate troop is being retired to a warden's park set up on heights above the town at a cost of around £100,000. From next week visitors will pay 50p to see these pillars of the old imperial order.

The end of their free-foraging life opens a new chapter in the lively history of the Rock's misnamed apes — they are large tail-less monkeys prop-

erly called Barbary macaques — which goes back at least to Nelson's time.

Since 1915 they have been on the roll of the British Army and maintained by it with varying degrees of success. But the Queen's Gate troop, unlike the more remote one at Middle Hill, has always been in the front line of confrontation with people. However, their control now passes to the Gibraltar government.

Dr John Fa, the Gibraltarian director of the park, said: "From the opening of the frontier with Spain in 1984, the apes' situation grew steadily more serious. Three and a half million people a year now come to Gibraltar and many feed them the chocolates and other sweets

they love. The animals are often addicted and obese, with the result that the birth rate has fallen. A male will leave a female on heat to get his supply of Smarties. Degraded individuals lose interest in mating and fight over food. As a result, the population has fallen from 130 to 70."

The yellowish-green apes also bite the hands that feed them. Injuries to visitors have risen from one or two a year to about 70, mostly in summer when the animals are accompanied by young.

A less sugary regimen, mainly of food pellets such as those served at London Zoo, will restore more orderly conduct, Dr Fa believes. Legend holds that if the apes ever leave the Rock then so will the

British: it seems to date from the Great Siege of 1783 when their alarm bells were said to have alerted the garrison to an attack by the Spaniards.

Earlier records refer to "game from Barbary" being imported, probably to be hunted by bored members of the garrison. Macaques were found in southern Europe at the time of the last Ice Age, but if any were in Gibraltar they left no fossils behind. Moorish chroniclers did not mention them as being present.

In North Africa the endangered species has lost much of the cedar and holm oak forest that is its natural habitat, and the International Primate Protection League has endorsed the Gibraltar park project.

Slimbridge £6m visitor centre plan

A VISITOR centre, costing £6 million, set amid two new lakes is being planned by the Wildfowl and Wetland Trust at its headquarters in Slimbridge, Gloucestershire. The trust has applied to Stroud District Council for planning permission for the project, which includes a 60ft observation tower.

Dr Brian Bertram, trust director, said yesterday that work could start next summer if planning consent is granted. He said the founder of the trust, the late Sir Peter Scott, wanted an observation tower which could be used by the disabled and elderly. "He wanted everyone to be able to get up high, as he often did in his own tower, and have a bird's eye view of the trust grounds, the Severn estuary and the birds themselves," Dr Bertram said.

The new development would involve creating two new lakes, one between the new arrivals centre and the car park. Dr Bertram said: "If we can get the planning permission and the funding we can start work on site here early next summer and be in occupation in the middle of 1993."



Perched on a bale of straw and bearing a pitchfork, a rustic Mr David Trippier, Minister of State for the Environment and Countryside, sits outside the environment department's unlovely building in Marsham Street, central London, yesterday to publicize Countryside Week next month.

Maguire tests were done by trainee of 18

By RAY CLANCY

A TRAINEE who had just left school carried out sensitive forensic tests which led to the conviction and imprisonment of Mrs Annie Maguire and six others, the inquiry into their cases was told yesterday.

The results of the tests for explosives carried out by Mr David Wyndham at a forensic laboratory in Woolwich, south-east London, were so positive that even the chief scientist was surprised, the third day of the inquiry, headed by Sir John May, was told.

Mr Douglas Higgs, the principal scientific officer in charge of forensic science at the Royal Armourment Research and Development Establishment, where swabs from the Maguires and their house were taken for examination, said the 18-year-old would not have been given the job unless he was capable.

He told the inquiry that Mr Walter Elliott, one of the main prosecution witnesses at the Maguire trial in 1976 and the chemist in charge at the time, would have taken the decision as to who would carry out the tests. Mr Elliott has since died.

Mr Higgs added that at least two senior people would have looked at the tests, which involved comparing samples of suspect swabs with standard samples of four explosives, including nitro-glycerine, the compound widely used by the IRA in the 1970s.

During the tests the operator would look for pink spots appearing at the same speed and density as those of the explosive samples. The swabs taken from the Maguires had shown more spots than had ever been seen before at the laboratory, Mr Higgs said. "Never before had we

seen so many positive on a plate at a reasonably high level of intensity. We just didn't believe it, quite honestly. I have a distinct memory of all those spots and their strength relative to the standard sample. My view at the time was that they contained an appreciable amount of nitro-glycerine."

Asked if it had been possible to double check the tests Mr Higgs said that all the swabs had been used in the original test. "You would have had to decide whether to sub-divide and possibly lose all trace or take a chance and use all and get a firm reaction," Mr Higgs said. "That was a tactical working decision that had to be taken by the operator." (Mr Wyndham).

Mr Higgs, who retired in 1982, told the inquiry that at the time of the trial he knew of a possibility that other substances could mimic the nitro-glycerine test. He said he was aware of 42,000 compounds of which 1,050 were nitro compounds "which could conceivably give rise to a positive reaction."

He disclosed that in the run-up to the Maguire trial he asked Mr Wyndham to test 200 of them but the vast majority of the compounds were "very obscure" and several had to be made up specially, so he did not feel they could have given rise to positive tests.

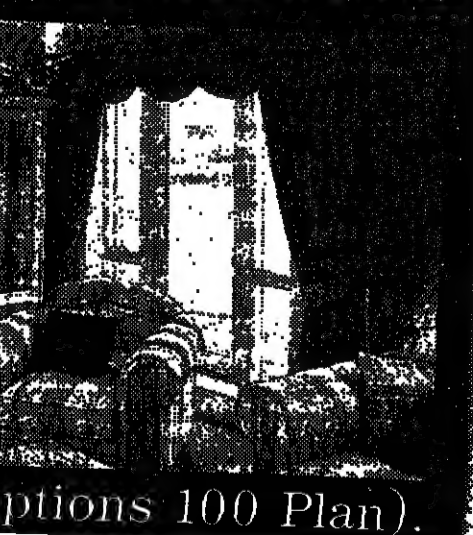
The inquiry into the convictions of Mrs Maguire, her husband Patrick, sons Vincent and Patrick, Mrs Maguire's brother Sean Smith, her husband's brother-in-law, Mr Giuseppe Conlon, who died in prison, and Mr Patrick O'Neill, a family friend, continues today.

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Fairclough Homes

Conservative fails to find support for his roof tax Bill

AS THE National Executive Committee of the Labour Party approved its policy document yesterday, a Conservative MP made a tongue-in-cheek attempt to hijack one of its reported key proposals — the roof tax.

But his Bill to bring in a version of the tax received no backing and Mr Dennis Skinner, a former chairman of the Labour Party, denied that it was among Labour's plans. "We killed it long before the Tories played their little game today", he told the House.

Mr Neil Hamilton (Tatton, C), seeking to bring in the Roof Tax Bill under the 10-minute rule procedure, denied rumours that he was being unserious or frivolous and that what he was proposing was a "spoof tax". He was being most serious in seeking

to advance democratic debate and provide alternatives for people to choose between.

No one voted for it, however, and leave was refused by 119 votes to nil.

Mr Hamilton said that, because the Labour Party was out of practice in introducing legislation into the House, he had decided to distill his wisdom of the past 12 years and give the Opposition an opportunity to introduce the flagship of their local government proposals.

The Opposition had resolved to change the community charge as soon as it was returned to office, Mr Brian Gould, chief Opposition spokesman on the environment, had said so on many occasions.

He had written to Mr Gould asking for his assistance in drafting the Bill

and for a meeting to discuss tactics, but that had been refused.

Mr Gould had recently moved from his constituency of Dagenham to a flat in the former servants' quarters of an eighteenth-century manor in Moreton-in-the-Marsh. His move was understandable since a roof tax would mean a £711 charge in his constituency compared with the £278 community charge.

In Scotland, there were blocks of flats which had been given a negative valuation. Presumably with a roof tax, residents would be paid to live there. Would the Speaker, residing in the Palace of Westminster, have to put up bed and breakfast signs to meet his enormous roof tax?

It would be simple to avoid the tax of course — by removing the roof.

That would reduce the value of the property considerably.

Mr Edward Leigh (Gainsborough and Horwastle, C), opposing the Bill, said that it was singularly ill conceived.

If he did not know Mr Hamilton better he would have suspected him of consulting Mr Bryan Gould. Mr Hamilton was an unlikely champion of socialism. Only this week, he had espied him at a society wedding wearing spats and carrying a silver-topped cane.

Mr Hamilton may have brought the proposal forward in a mischievous tone, but it was a serious issue.

How could a tax based on the capital value of a house be fair if the taxpayer — such as a tenant — had no

interest in that value? The proposal was riddled with inconsistencies and fundamentally flawed.

They had still not heard whether Labour's tax would be on individuals or households. Only Labour would produce a tax and then not say who would pay it.

The whole thing was a diversion from what they should be discussing: not the nature of local government tax, but that too much was being charged. Roof tax was a mere smokescreen.

After the result of the division had been announced, Mr Neil Bennett (Pembroke, C) said that Mr Skinner had voted against the Bill. As a roof tax was Labour policy, he should explain his action.

Mr Skinner (Bolsover, Lab) said

that the NEC had never discussed the roof tax. What had taken place was based on a figment of the imagination.

Earlier, the Conservative owner of a roofless old mill sought ministerial advice on whether he should replace that roof. He was told, however, that he should address his question to the proposers of the roof tax — the Labour Party.

Mr Roger Knapman (Stroud, C) said that the roof of his old mill had fallen in 10 years ago. "Should I repair it or leave it as it is?"

Mr Michael Portillo, Minister for Local Government and Inner Cities, said that it was up to the Labour Party to supply the details of its roof tax, and particularly, to explain who would pay it.

Haemophiliacs need urgent help, Thatcher told

MRS Thatcher was urged yesterday to appoint a highly respected lawyer to reach an urgent out-of-court settlement with HIV victims who have caught the infection through contaminated blood and blood products

Efficiency advice for the House

SIR Robin Ibb, who advised the Prime Minister on efficiency and effectiveness in government, is to turn his attention to the organization of the House of Commons.

He will investigate whether it is possible to set up a co-ordinated management and decision-making structure under the control of the House in place of the present fragmented structure.

Mr Alan Beith, chairman of the House of Commons Commission, announced in a written reply that the commission had decided to set up a review to examine whether the responsibilities for the management of the House and its facilities, at present divided between the commission, the Select Committee on Commons Services, the Department of the Environment and the Leader of the House, could be brought together.

The aim would be to ensure a structure in the Commons that could respond adequately to MPs' needs and demands for services, and to determine priorities between them.

Sir Robin had been invited to undertake the work and in due course would advise the commission of his recommendations for change. MPs would be consulted, individually or collectively, through various committees of the House and other bodies, and would be able to make individual representations to Sir Robin.

"The House will be advised of the outcome of this review and of any organizational proposals arising therefrom, after Sir Robin Ibb has tendered his advice to the commission."

The inquiry is expected to last some weeks and Sir Robin may present a report before the end of this session.

HIV INFECTION

administered by the National Health Service.

Speaking during a wide-ranging debate in the Commons, Mr Alfred Morris (Manchester, Wythenshawe, Lab) said that many of the victims had died and many others had scant prospect of living to see a court settlement of their claims.

He had suggested to the Prime Minister that she might follow the precedent he had set as Minister for the Disabled in the 1970s when he appointed the late Sir Alan Marre to undertake an inquiry into the Thalidomide dispute. At that time Sir Alan had recently retired from the office of Ombudsman. His report later that year settled the dispute.

The Prime Minister might now consider the appointment of Sir Anthony Barrowclough, who had also retired recently as Ombudsman and was highly respected, to do the same job for HIV victims.

Commons debates had drawn attention to cases of children suffering from haemophilia who had become HIV-positive. In one case, a couple had two sons who contracted HIV. The elder boy had full-blown Aids and was terminally ill, but their cases were only two of 1,200 in which HIV was confirmed.

"Many of the victims have died and more live with the prospect of an early and most painful death in direct consequence of treatment they were given under the NHS."

Justice for many of the victims would be posthumous — which was not justice at all. He was told there was not a precise parallel with the Thalidomide case, but the Thalidomide issue did involve severely disabled people who were trying against mostly hopeless odds to achieve justice through the courts. The same applied to the present dispute.

The increasing number of deaths among people with Aids due to contaminated blood made an out-of-court settlement all the more pressing urgent.

Earlier in the debate, Sir Barney Hayhoe (Brentwood and Idsworth, C) (right), a former Minister for Health, called for emergency funds during this financial year to prevent the closure of National Health Service beds and operating theatres.

He said that discussions were taking place between the Treasury and health ministers on public spending for next year, but there was increasing pressure on hospitals now.

Last autumn the Secretary of State for Health (Mr Kenneth Clarke) had obtained extra resources for the health service this year and he had equated those resources with real growth. But since then inflation had more than eroded that hoped-for growth.

The global figures did not reveal the whole truth. They did not show the higher growth of family practitioner services, which were not cash limited, and the lower growth of hospital and community care services which were.

"Regional and district health authorities are facing very severe financial constraints leading to limits and reductions and cuts in in-patient services."

"These are necessary to balance their books during the current financial year and ministers are more than usually insistent this year that the books are balanced so as to have an even playing field for the introduction of the new financial regime for hospital services which will come as a result of NHS and Community Care Bill."

The parliamentary spring recess, starting tomorrow, provided an opportunity to review the difficulties. Otherwise, there would be ward and bed closures and restrictions on operating theatres. That was an enormously inefficient way of reducing spending within the health service, reducing productivity, increasing the costs of particular operations in a very unacceptable way.

Longer waiting times and waiting lists would result. That would happen in the context of a health service where morale was already below its best. Nurses from the West Midlands Hospital had been to see him to complain that they were being treated unfairly by the poll tax compared, for example, with RAF apprentices, and about the "abominable conditions" in nursing homes. Health authorities did not have the resources to do anything about it.

The case for in-year increases for the health service grew stronger. Urgent and sympathetic action was required from the ministers concerned. "I hope an appropriate in-year increase for the health service hospitals will be agreed."



Peers concern for human rights

THE incorporation of the European Convention on Human Rights into British law found favour on all sides of the Lords during a debate on civil liberties.

Lord Hutchinson of Lillingstone (Lib Dem) said that more cases had been upheld in the European Court of Human Rights in Strasbourg against Britain than against any other country.

He told peers that the "long trek to a foreign jurisdiction to find the sustenance of justice must surely be a matter of shame to this Government."

Injustices had involved contempt of court, data protection, prison rules, immigration, corporal punishment, mental patients' rights, children in care, official secrets, homosexuality and the closed shop.

More than 100 important changes to regulations and administrative practices affecting citizens' civil rights here had resulted from decisions made in Strasbourg.

The only way forward now was the incorporation of the European convention into British law, as every other European country had done.

HOUSE OF LORDS

Lord Hailsham of St Marylebone, the former Lord Chancellor, said that, compared with the appalling state of the rest of the world, this was a very agreeable country to live in. By far the most serious encroachments of civil liberties were criminality, violence and terrorism.

Nobody could get to the court at Strasbourg until they had exhausted local remedies. British judges were far better judges of what did or did not apply in the British context.

"Therefore I would be glad to see the European convention, subject to the sovereignty of Parliament, incorporated into the British system."

Lord Alexander of Wealdstone (C) said: "Society increasingly comprises minorities whose interests might not have enough widespread appeal or, to put it crudely, sufficient voting pull for them to be effectively protected in Parliament."

Opening the debate, Lord Irvine of Lairg (Lab) said that a sustained feature of this Administration had been its obsession with government secrecy and national security to the prejudice of traditional freedoms.

Viscount Ullswater, for the Government, said that safeguards already existed in British legislation and in far more precise terms than in the European convention.

That was no reflection on the impartiality of the judiciary but a reaffirmation that it was for Parliament, in the exercise of sovereignty, to decide.

MPs issue two more attacks on poverty figures

By SHEILA GUNN, POLITICAL REPORTER

GOVERNMENT statistics are camouflage the true extent of poverty in Britain since the 1988 social security reforms by underestimating the number of families living under the income support level, a committee of MPs said yesterday.

In a fresh challenge to the official figures, the House of Commons social services committee published two further studies by the Institute of Fiscal Studies into the effect of replacing supplementary benefit with income support and into the regional differences in levels of income.

The first institute study forced the Government to change the way it draws up its poverty figures by disproving the "trickle-down" theory, that theory asserts that the poorest sections of society benefit from the greater prosperity of the better-off.

The new analysis shows that nearly four million families, covering 5.7 million people, are not receiving benefits even though their net resources put them below the income support line.

Mr Frank Field, the committee chairman, said: "Under the old series of data on low income families the Government apparently eligible for supplementary benefit but not claiming."

"It has resolutely refused to publish equivalent data for income support. This is why the committee asked the institute to rework the 1987 family expenditure survey data."

The second study found a sharp North/South divide when

taking the Government's own arbitrary level of those living on below half average income.

Mr Field said: "The South-east has the lowest proportion of people below half of average income. Yorkshire and Humberside has 72 per cent more people living below half the average income than does the South-east."

"In the northern region, there are 63 per cent more people on below half of average income and in the North-west there are 45 per cent more at this level of income than in the South-east."

The institute also found a huge drop in the number of benefit claimants after the 1988 reforms.

Mr Field said: "A political point about the committee wish to follow up is why is it that, when most of the pensioners drawing supplementary benefit or housing benefit in 1987 had incomes below income support, the numbers on the welfare roll did not rise when the scheme was introduced the following year."

He added: "Against all expectations, the transfer from supplementary benefit to income support resulted in a marked fall in the numbers claiming, from 8.2 million claimants in May 1987 to 7.4 million in 1988."

House of Commons Social Services Committee — Households and Families below average income: A Regional Analysis (Stationery Office, £7.15).

House of Commons Social Services Committee — Income Support System and the Distribution of Income in 1987 (Stationery Office, £3.45).

Call for pensions lead by ministers

A CALL for the Government to take a lead in introducing the same retirement age for men and women was made by Mr Robert McCrindle (Brentwood and Ongar, C) in the Commons.

He was supported by Mr Alan Beith (Berwick-upon-Tweed, Lib Dem), who said that some sort of machinery must be set in motion to enable some progress to be made in this vital public debate.

Mr McCrindle, speaking during a debate about next week's spring recess, said that the matter had become even more important because of the recent judgement in the European Court of Justice. That concerned entitlement under a private pension scheme, but he doubted if there would be any consensus within the private occupational pension industry unless and until the Government gave a lead.

The retirement age presented a difficult problem, one that the Government had understandably sought to avoid. Whichever way the Government moved, it was bound to upset one sex or the other. There was no easy solution to the matter, but the Government must grasp the

RETIREMENT

nettle. If the decision were to be to allow everyone to retire at 60 without loss of pension rights, that would need additional investment by the Government of £3.2 billion. At the least, the time had come for the Government to produce proposals.

Later in the same debate, Mr Geoffrey Latham (Pontefract and Castleford, Lab) said that if the mining industry was to continue to be run down, there was an obligation on the Government to assist in providing alternative employment for those thrown out of work.

The announcement, by Sir Robert Hain, chairman of British Coal, that a further 7,000 jobs could be lost to the industry over the next three years, was a continuation of the huge reduction in the workforce.

One of the worrying features of this trend was that the average age of miners was also coming down: it was now 33. If these young men were to lose their jobs, there was little hope they would be able to find work without some help.

Inquiry into Labour 'spite'

An urgent investigation into alleged acts of spite against Conservative wards by two Labour-controlled councils is being made by Mr Michael Portillo, Minister for Local Government and Inner Cities.

Mr Robert Dunn (Dartford, C) asked him during Commons questions to consider legislation to avoid a disgraceful practice by the Labour-controlled councils of Walsall and Bradford whereby people living in Tory wards should receive fewer services and have less money spent on them than those in Labour wards.

Mr Portillo said that he had been so appalled by the allegations that he was examining the matter urgently. He had spoken to Councillor Pickles (who was leader of the former Conservative-controlled Bradford council) and was trying to establish what was going on.

"I urge charge payers in these areas to examine whether they might not already have recourse under the law."

Chope pledge on charge

The Government will set the community charge on empty properties if it finds that local councils do not exercise their discretion properly, Mr Christopher Chope, Under Secretary of State, Environment, said.

He told Mr Timothy Vee (South Suffolk, C) that the department was writing to local authorities to find out exactly how they were exercising their discretion in charging for empty properties. Councils have discretion to charge from nothing up to double community charge.

If the discretion was not being used sensibly, the Government would have to consider whether to specify the maximum for particular circumstances.

Hope for the elephant

An expert has suggested that prices of ivory overall have fallen so much that poaching in Africa is no longer worthwhile and in some areas may virtually have stopped. Mr David Heathcoat-Amory, Under Secretary of State for Environment, said in a written Commons reply. He added the hope that poaching would soon stop in all parts of Africa.

He said that the decision to ban commercial trade in African elephants and elephant products had much reduced demand for ivory.

Cambridge environment

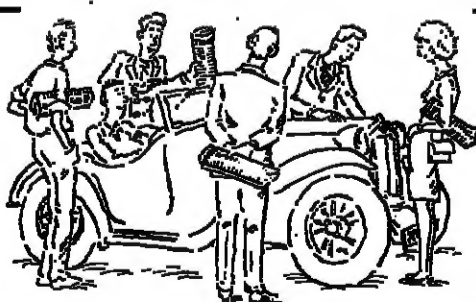
Mr Christopher Patten, the Environment Secretary, confirmed that he believed Cambridge was the best candidate as the base for the new European Environment Agency.

Mr James Paice (South East, Conservative), said the Labour council in Cambridge had said it did not want the agency to be based in the city.

Parliament today

Commons (9.30): Spring adjournment debates on various topics.
Lords (11): Social Security Bill, committee, third day.
Law Reform (Miscellaneous Provisions) (Scotland) Bill and Aviation and Maritime Security Bill, third readings.

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SELL IT THROUGH
THE TIMES

Great ability, little experience

By ROBIN OAKLEY, POLITICAL EDITOR

HERE is a test for those who claim to know their politics. Can you name the six members of the Shadow Cabinet with experience of government at any level? Or the five members of Labour's front bench who have served in a Cabinet?

The Labour Party has been redressing the policy shortcomings that penalized the party at the last two elections. But politics is about men as well as measures. As we move into the pre-election phase, Conservatives will intensify efforts to cast doubt on the suitability of Labour's front bench team for facing the tasks of government.

By common consent, Labour now has its most able Shadow Cabinet in years, even if the middle ranks behind them have yet to show the talent evident among the Government's junior ministers. But ability in opposition is one thing, experience in government is quite another, and a Labour team led by an aspirant prime minister who has never been so much as a parliamentary private secretary in government is clearly short of practice on the job.

Just how short can be seen by comparing the present front bench team with that which came to office with Harold Wilson in 1964. They too took over after a long stretch, 13 years, of Tory rule, but 12 of the 23 members of the first Wilson Cabinet had previous experience of government, four as members of a previous cabinet. This time around only seven of the elected Shadow Cabinet have any experience in government: Roy Hattersley, John Smith, Gerald Kaufman, John Cunningham, Michael Meacher, Joan Lester and Margaret Beckett.

Neil Kinnock has only four men in his front bench team with previous experience of the Cabinet (unless you count Stan Orme, now 67, who is listed on the team as chairman of the Parliamentary Labour Party but who would be unlikely to be offered a Cabinet post).

The four are Roy Hattersley, Secretary of State for Prices and Consumer Protection, 1975-79; John Smith, Secretary of State for



Mr Tony Blair

Trade, 1978-79; John Morris, Secretary of State for Wales, 1974-79; and, in the Lords, Lord Cledwyn of Penrhyn, now 73, he was Secretary of State for Wales, 1966-68 and Minister of Agriculture, 1968-70.

In all, Labour has a front bench team of 82 in the Commons, plus 13 whips. There are another 28 party spokesmen in the Lords, including 6 whips, making a total of 123 to face the Government's 120 (85 in the Commons, 14 Commons whips, 15 ministers in the Lords and 6 whips in the upper House). It is an indication of how political life has developed since the 1964 Labour Government totalled 101.

Of Labour's 82 spokesmen in the Commons, there are just 12 who list previous ministerial experience at any level in *Dod's Parliamentary Companion*. As well as the three former members of

the Cabinet (Hattersley, Smith and Morris), there are three who made it to minister of state level in a previous Labour government: Gerald Kaufman, Industry, 1975-79; Denis Howell, Housing, 1969-70, Environment and Sport, 1974-79; and John Fraser, Prices and Consumer Protection, 1976-79. But Mr Howell has announced his intention to retire at the next election.

There are seven more of the present spokesmen with bottom rung experience as parliamentary secretaries during a previous Labour government. They are Margaret Beckett, Education; Joan Lester, Education and Foreign Office; John Cunningham, Energy; Michael Meacher, Industry, Social Security and Trade; Barry Jones, Wales; Alf Morris, DHSS/Disabled; and Jeremy Bray, Power and Mines.

At a pinch, Mr Kinnock could claim previous governmental experience for three of his team who were whips in the Callaghan days: Ann Taylor, Peter Snape, and Jim Marshall.

What is perhaps more surprising is that, of the Labour front bench in the Commons, only 30 have even been backbench MPs during the lifetime of a Labour government. Gordon Brown, leading the Labour team of six on Trade and Industry, has only one contemporary from the 1983 intake among them; the rest all entered the Commons in 1987. Tony Blair, another 1983 Commons entrant leading the four-contemporaries from his year and one team member from the 1987 intake.

Promotion comes rapidly in Mr Kinnock's party. Seventeen of those facing the Tories on the front bench entered the Commons only in 1987. Another twenty-two came to Westminster with the previous intake in 1983.

It certainly helps your chances to be a woman. The 23 women Labour MPs include one former front bench member and one deputy Speaker. Of the remaining 21, Sylvia Heal, no fewer than 14 have a place on Mr Kinnock's top team, a striking rate of 66.6 per cent.

Blow to Canada unity as Quebec minister resigns

From JOHN BEST in OTTAWA

THE resignation of the most senior Cabinet minister from Quebec from the Government of Mr Brian Mulroney has fuelled the fires of separatism in the mainly French-speaking province and underlined growing difficulties in Canada's confederation.

It represents a personal tragedy for Mr Mulroney, a long-time personal friend of the minister, Mr Lucien Bouchard.

Mr Bouchard announced his resignation as Environment Minister on Tuesday, saying that he could no longer tolerate the recent "outpouring of prejudices and emotions" against Quebec in English Canada, reviving around efforts to bring Quebec into the national Constitution.

His departure from the Conservative government benches to sit as an independent MP was the latest blow in a series dealt the Prime Minister by Quebec members in recent days.

Earlier two backbench MPs, Mr Francois Gerin and Mr Gilbert Bertrand, also quit the Conservative caucus to sit as independents.

The immediate catalyst in all cases was the report of a Commons committee, made public last week, which recommended ways to break the long-gathering impasse over a constitutional agreement, called the Meech Lake accord.

The three defectors maintain that the report of the committee, which was set up at Mr Mulroney's behest, waters down and fundamentally alters the accord.

Meech Lake, designed to end Quebec's constitutional isolation from the rest of the country, dating from 1982, was signed by all 10 provinces in 1987 but three still have not ratified it. The ratification deadline is June 23. The

quarrel has ignited dormant passions on both sides of Canada's English-French divide, causing many English Canadians to dig in their heels against further accommodation with Quebec, while convincing Quebecers that English Canada does not understand their aspirations.

It has also undoubtedly increased separatist pressures in Quebec, which accounts for about a quarter of the national population of 25 million.

A poll published last week in the *Toronto Star* indicated that support in Quebec for a politically independent state associated economically with Canada had climbed to 60 per cent. This compares with 40 per cent who voted for the same concept in a referendum conducted by Quebec's separatist Parti Quebecois (PQ) government in 1980.

The separatist threat waned for a few years after 1980, but has flared again in the seemingly endless haggling over a constitutional deal.

Mr Bouchard himself had pronounced separatist leanings before Mr Mulroney, taking one of the biggest gambles of his political life, promoted him to the Cabinet in 1988 and subsequently made him his "Quebec lieutenant". Before that, Mr Bouchard had served for a time as Canadian ambassador to France.

Mr Bouchard supported the separatist side in the 1980 referendum and has remained an ardent Quebec nationalist, trying to balance his pre-eminent loyalty to Quebec with his loyalty to Canada.

His resignation was probably only a matter of time after he sent a message of support last Saturday to a PQ convention commemorating the tenth anniversary of the independence referendum.

The message referred to the "honesty, pride and generosity" of the pro-sovereignty team that had fought the referendum.

In his letter of resignation to Mr Mulroney, Mr Bouchard warned that henceforth Quebec would be talking from "a position of strength" in future constitutional negotiations, in language that could have been taken directly from the separatist vocabulary, he said. "Only a Quebec state with a clear democratic mandate to recover its full powers will dispose of the political authority to negotiate the Canadian association of tomorrow."

Yesterday the spate of defections from the Government appeared to have stopped, at least temporarily. Mr Mulroney, meanwhile, was contemplating whether to call the provincial premiers to Ottawa for a last-ditch effort to save the Meech Lake accord and what is left of Canada's national unity.

Le Pen to pay token damages

Paris THE French extreme right-wing leader, M Jean-Marie Le Pen, was ordered to pay a symbolic one franc (1p) in damages yesterday for having described Nazi gas chambers as a "detail" in the history of the Second World War.

A civil court in the Paris suburb of Nanterre ruled that the leader of the National Front had "committed a fault" for which he cannot say that he was only making use of his freedom of speech. M Le Pen made the statement, which outraged France's influential Jewish community, in a radio interview in September, 1987.

The court ruling followed a plea for 900,000 francs damages from nine groups representing concentration camp survivors and their descendants. M Patrick Quentin, lawyer for an anti-racist group which jointly sponsored the civil case against M Le Pen, described the ruling as a "perfect judgment". But other defence sources spoke privately of a "half-success".

M Le Pen had said: "I am not saying the gas chambers did not exist. I did not see them myself. I have not studied the question, but I think it is a mere detail in the history of the Second World War."

The civil damages suit was the latest in a series of legal and other problems besetting M Le Pen. The European Parliament lifted his parliamentary immunity in March for a second time in three months at the request of

the French judicial authorities. He was charged with insulting a minister after making a pun on his name that referred to Jews and gas ovens and is also due to face charges about statements alleging "international Jewry" was fomenting "anti-national feeling" in France.

An increasing number of French towns, including M Le Pen's native La Trinité-sur-Mer in Brittany, have banned his public rallies for fear of incidents. M Le Pen has been a mainstay of the extreme right for three decades, but has only made gains in opinion polls in the past six or seven years as more whites reacted to what they saw as the flooding of France by Third World immigrants, particularly North Africans.

His anti-immigrant platform has helped his popularity soar but the desecration of a Jewish cemetery in southern France this month prompted national outrage against rightist groups. M Le Pen denied any connection with the cemetery case.

Meanwhile, police detained nine people in the southern French town of Albi yesterday in connection with the graveyard desecration. Police sources said they were held for inquiries into a vandal attack on the Carpentras cemetery, 150 miles away, earlier this month. They were among 15 people arrested in a dawn swoop on suspects already under investigation for the desecration of a nearby Christian cemetery in November 1988, the sources said.

Drugs haul claimed as biggest ever

Karachi — Pakistani officials said that they had seized 66,408 lb of hashish in what they called the world's biggest-ever seizure of the drug.

Agha Sikander Ali, regional director of the Pakistan Narcotics Control Board, said the hashish, seized in Karachi and hidden in a fake military trailer, was destined for Europe. (AFP)

12 face charges

Canberra — Federal investigators said in a Senate report that up to 12 individuals could be prosecuted as a result of investigations into alleged Second World War criminals living in Australia. (AP)

Ship setback

Keelung, Taiwan — The dissident Chinese radio ship, Goddess of Democracy, was prevented by customs problems from leaving this port as scheduled, while Japan announced that it would not be welcome there. (AFP)

Leader to quit

Lisbon — President Pereira of Cape Verde said he would leave the West African nation's only political party in preparation for a transition to multi-party democracy. (AP)

Zaire complaint

Kinshasa — Zaire said it plans a formal complaint against the Belgian newspaper *Le Soir* over a report that police slit the throats of 50 students during unrest in Lubumbashi, but added that it might launch an investigation. (Reuters)

Blind love

Delhi — Two Hindu brides married the wrong men because their long veils obscured their vision of the bridegrooms. (AP)

Colombian net tightens on cocaine 'Godfather'

From ALAN TOMLINSON in BOGOTA

THE Colombian drug baron, Pablo Escobar, has defied more lawmen than Billy the Kid, bribed more judges than Al Capone, and slaughtered more innocent bystanders than Bonnie and Clyde, if official accounts of his exploits are to be believed.

The 40-year-old boss of the world's richest cocaine ring, the Medellín Cartel, is the most wanted gangster in his own country and in the US, and his picture is in files from Mexico City to London. Yet the efforts of police forces and armies from several countries have failed to catch him, after a 10-month manhunt.

Once a petty hoodlum, Escobar is now credited with having ordered hundreds of killings, including government ministers, presidential candidates, policemen, judges and journalists.

The former car thief and drug courier or "mule" is also accused of financing paramilitary armies that control vast areas of rural Colombia, and squads of hired killers who terrorize the cities in this

nation of 31 million people who know him as *El Padrino* — the Godfather.

Escobar's cartel provides an estimated two-thirds of all the cocaine entering the US and Europe, and his personal wealth has placed him on *Forbes* magazine's list of richest men in the world.

However, since President Barco declared war on the cartel last August, security forces have arrested dozens of key associates, seized farms and ranches, and forced Escobar to suspend many of his money-making operations. *El Padrino*, say the police, is a man on the run who sleeps no more than two or three nights in any one place.

In an attempt to intimidate the Government, the Medellín Cartel has embarked on a campaign of car bombings that has killed 250 people. The latest blasts last Saturday caused 28 deaths in Bogotá and Cali.

Police chiefs say *El Padrino*'s time is running out, as it did in December for his

Mexican-born partner, Gonzalo Rodríguez Gacha, killed by gunmen in pursuing helicopters as he fled from a raid on a remote ranch house.

But Escobar, the police concede, is more resourceful. An American official here called him "a genius".

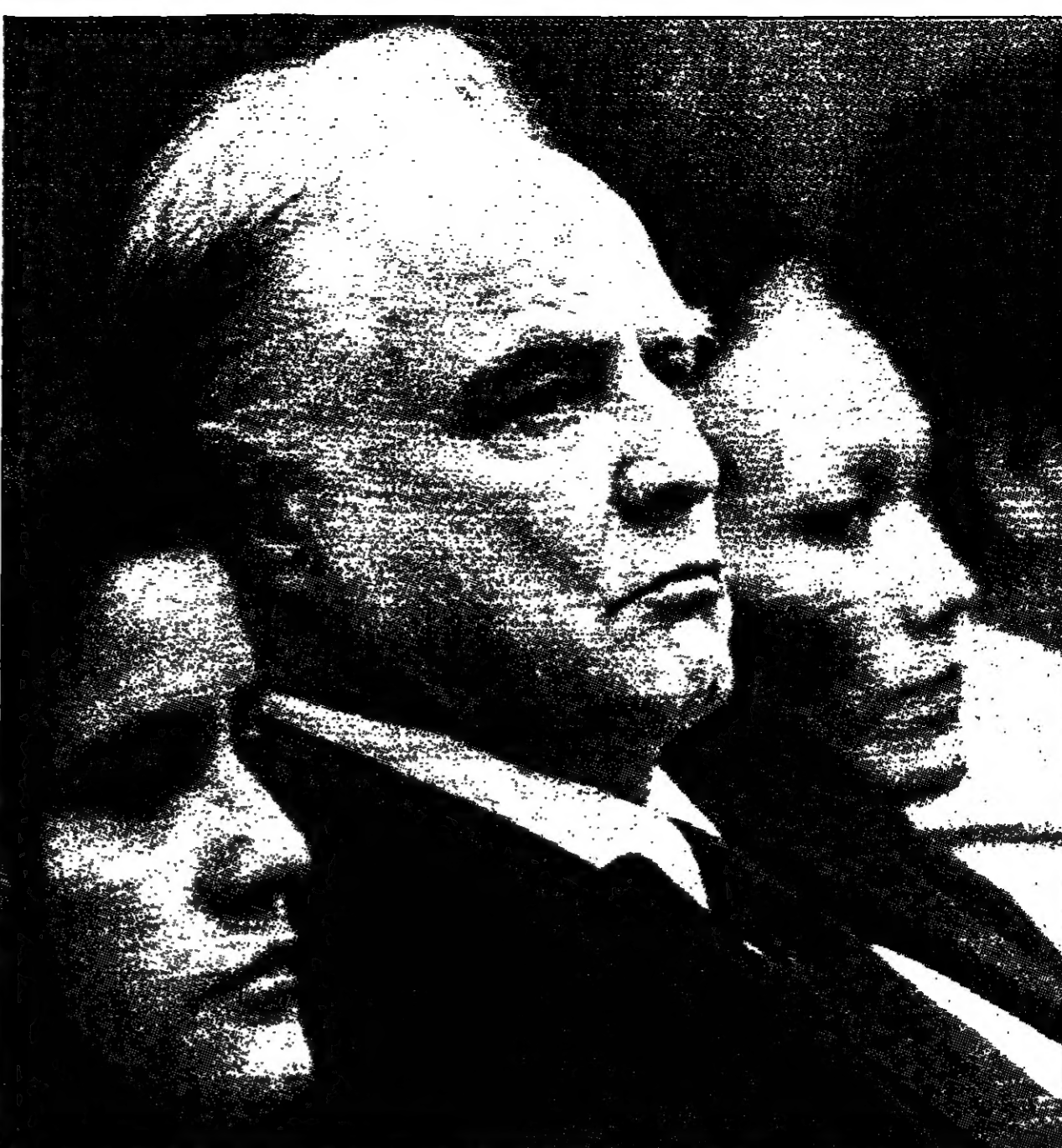
The first big score which began his meteoric rise to the top of the Colombian underworld was in the early 1970s when he ransomed a kidnapped Medellín businessman for \$100,000 (£58,000).

In 1979, police arrested him for possessing 39 lb of cocaine. Typically, Escobar never went to trial and a year later gunmen assassinated the two arresting officers. By the early 1980s, as the cocaine trade boomed, the newly rich kingpin was investing in real estate — an \$8 million (£4.7 million) complex in Florida, a \$60 million ranch near Medellín.

Seeking respectability, he won election as an alternate member of the Colombian congress in 1982, and began bribing prominent politicians to speak out in favour of the benefits of the drug trade.

Police and US narcotics agents say they came close three times to capturing Escobar. Colombia's army, navy and air force have been brought into the hunt, and sources say that American special forces have also become directly involved.

General Miguel Mazaor, chief of the Department of Security Administration, the Colombian FBI, says he has little doubt that *El Padrino* remains where he feels safest among the cocaine-rich landowners and peasants of Medellín. "Every day we are closing in," said the general. "He is cornered, surrounded by his gunmen. Today he is totally isolated, but Medellín is still a city he can trust."



Marlon Brando, the actor, listening in a Los Angeles court where his son, Christian, was refused bail on a charge of murdering the boyfriend of Brando's daughter, Chayenne, left. Brando said later: 'The messenger of misery has come to my house.' He said he believed his son was innocent and that he would appeal against refusal of bail

Setback for Bush on aid package

From SUSAN ELLICOTT in WASHINGTON

PRESIDENT Bush's attempts to get \$720 million (£425 million) in urgently needed aid to Panama and Nicaragua were stalled last night after a congressional campaign to halve military assistance for El Salvador.

Congress fiercely debated the issue for four hours on Tuesday and initially, in what Democrats described as a rebuff to the Bush Administration, voted 250-163 in favour of an amendment to halve American military aid to the Government of President Alfredo Cristiani.

The clause was added in protest against his lack of progress in prosecuting the murders of six Jesuit priests last November.

But minutes later, Republicans and mainstream Democrats, in another vote, unexpectedly defeated the Bill containing the El Salvador clause, throwing the whole Central American package into a temporary limbo.

The complicated session of congressional votes on foreign aid left unchanged America's annual \$85 million (£51 mil-

lion) contribution in military assistance to El Salvador despite efforts by the Democrats to halve it. Opponents of the Bill said afterwards that their votes reflected growing disagreement among US lawmakers about the amount of federal money allocated to overseas aid at the expense of domestic programmes, rather than a lack of support for emergency aid for Nicaragua and Panama. Republicans voted against the Bill because of the language of the El Salvador section, while many liberal Democrats thought it was not tough enough.

The outcome of the votes is a typical example of the political posturing within Congress that makes the US legislative process so lengthy.

One senior congressional official described the vote as a "pyrrhic victory" for everyone. The White House had served warning that it would probably veto the measure limiting US aid to El Salvador, whose right-wing Government it has endorsed. Democrats, in an attempt to gain leverage on the Bush Administration, have insisted on linking Mr Bush's proposed aid to the Central American countries with censuring of El Salvador.

President Bush, who has granted emergency aid to both countries to help rebuild their damaged economies, has repeatedly voiced his irritation that Congress has not moved faster to authorize his policy. In order to avoid a surge of

anti-US sentiment in the two countries, he is anxious that Congress approve the aid before a week-long recess which starts tomorrow.

In a related development on Capitol Hill on Tuesday, a conference of Democrats and Republicans agreed upon the wording of a \$4 billion (£2.3 billion) spending Bill for this year that would cut more than \$2 billion from defence spending to pay for domestic projects and the proposed aid to Panama and Nicaragua.

Since the killing of the priests, the Democrats have called for an end to US military aid to El Salvador. Over the past decade, the US has given a total of about \$4 billion in aid to El Salvador, or more than \$1 million a day.

Rejected authors granted shelf life

From JAMES BONE in NEW YORK

THERE must be hundreds, if not thousands, of *Times* readers who have their great unpublished masterpiece tucked away in a bottom drawer — packaged along with the publishers' rejection slips. Not to worry. Now, even without resort to vanity publishing, such work can see the light of day. An American entrepreneur from Burlington, Vermont, has set up a library exclusively for unpublished books. He calls it "folk literature".

"We are challenging the publishing industry concept that if something is not publishable, it is not readable," said Mr Todd Lockwood, the library's founder. "We don't buy that. There is a lot of work out there that is readable."

Mr Lockwood, aged 39, a college drop-out and former photographer, was inspired by a novel called *The Abortion: An Historical Romance* 1966.

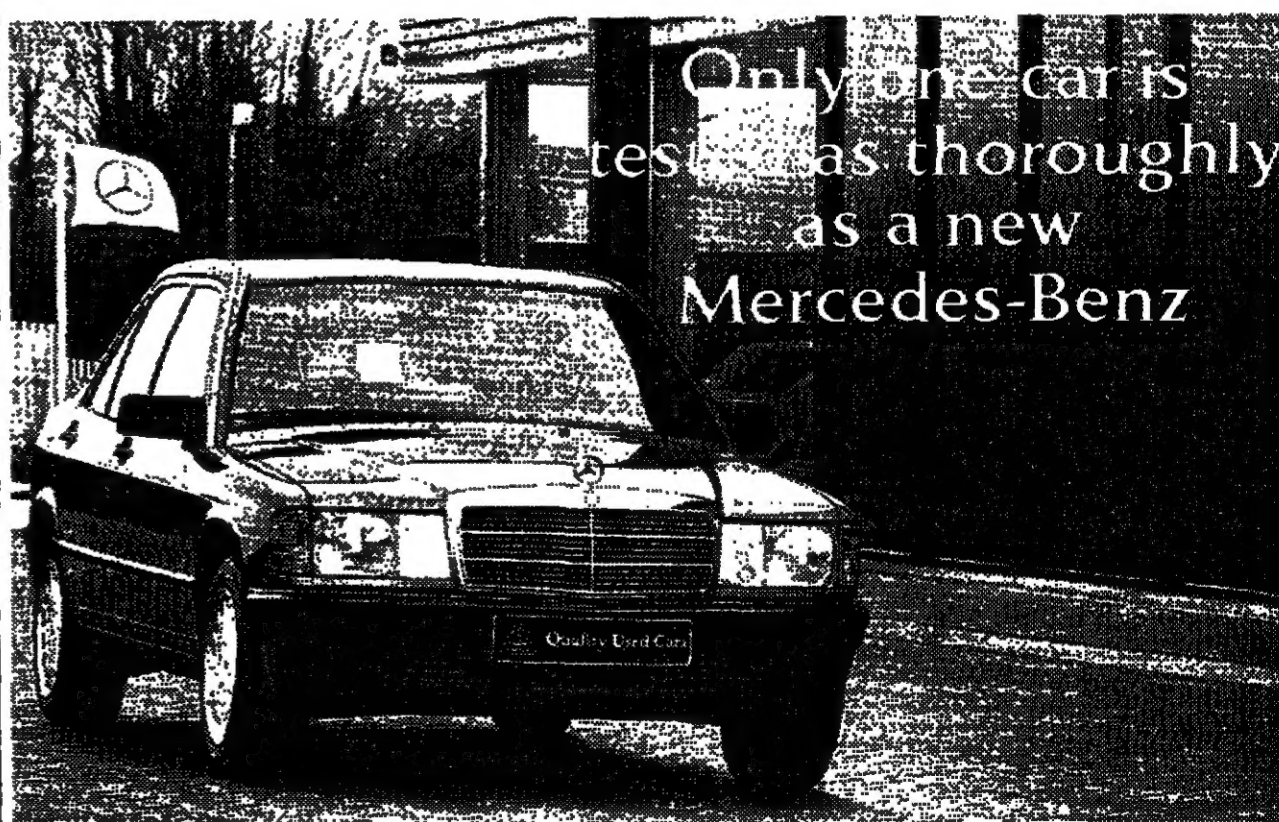
An early work by Richard Brautigan, an American cult writer popular among students in the late 1960s, the novel takes as its protagonist a worker in a San Francisco library where anyone can deposit a manuscript, day or night, and have it placed on the shelves.

Mr Lockwood read *Abortion* when it was first published in 1971. But it was only last year, when he saw the film *Field of Dreams* — the story of a whimsical Iowa farmer who decides to build a baseball pitch in his cornfield — that he finally plucked up courage to press ahead with his pet project.

He approached friends, local authors, Mr Brautigan's agent and some celebrities of the counter-culture. He signed up W.P. Kinsella, the author of the novel *Shoeless Joe* which became *Field of Dreams*, as well as writers and businessmen. Together they raised the \$10,000 (£6,250) needed for a binding machine, and rented an office space in the centre of Burlington.

The library opened late last month with a sign outside that reads: "The Brautigan Library. A Very Public Library." So far the library has received only 15 volumes, but it is sending out 10 to 12 applications a day.

With each work, writers must submit a synopsis and a \$25 fee to cover the library's costs. In return, the library binds the book and puts it on the shelves.



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Public Enemy No 1: A drug trafficker and killer on the run, Escobar is still a folk hero in Medellín

Rail strikes sidetrack Solidarity economic reforms

FROM ROGER BOYES
IN WARSAW

THE Solidarity-led Government, confronted with wildcat strikes paralysing Poland's rail system, is facing the most serious threat so far to its market-orientated economic reforms.

Full-scale negotiations between the Government, which includes many strike organizers from the 1980s, and the rail workers will be held today, though ministers are urging the three dozen railwaymen still on hunger strike to abandon their fast first.

Commenting on the moral dilemma of the Solidarity Cabinet in dealing with strikers, the Government spokeswoman, Miss Malgorzata Nieczabitowska, declared yesterday: "Hunger strikes are an instrument against a totalitarian state, where all strikes are illegal. But now these workers have a right to strike — once all other legal means have been exhausted. Would it be democratic to

yield to the pressure of a hunger strike?" The striking railway workers, mainly from western Poland, are demanding wage increases and a complete overhaul of the railway administration. "Increasing wages for the railwaymen would lead to higher fares," said the Government's chief economic adviser, Dr Waldemar Kuczyński. "That in turn would drive up inflation. It would be a signal for other workers and ultimately threaten the whole Government programme."

The dispute represents more than the first skirmish in the industrial relations of the new East European democracies. It is part of a fundamental argument about the pace of change in the post-communist states. Mr Tadeusz Mazowiecki, the Solidarity Prime Minister, is operating what might be termed a "steered democracy", sharing power with the remnants of the old regime and advancing step-by-step politically. By contrast, Mr Lech Walesa, the newly re-

lected chairman of Solidarity, favours an acceleration of politics, taking its cue from the grassroots. Mr Walesa is speaking to that part of the population which wants to clear out any remaining communists, and make a restoration impossible.

His political calculation is that Mr Mazowiecki's demands for long-haul economic sacrifices will eventually suck dry the popularity of the Solidarity-led Government. New sources of legitimacy have thus to be found, even if that means a chaotic "cultural revolution".

The effect has been to undermine Mr Mazowiecki's Government, since it depends heavily on presenting an image of social calm to Western investors. The Solidarity union's praxis, chaired by Mr Walesa, was openly critical of the Government on Tuesday, though it also distanced itself from the strikers. It demanded that the Government send a team to Gdansk to talk to the union

leadership. Yesterday the Government refused. The impression given by Mr Walesa's advisers is that Mr Mazowiecki is now heading a kind of "Kerensky administration", an interregnum between two stages of a revolution.

The fact is that Mr Walesa has gauged the extent of worker unrest in Poland better than the Government of Mr Mazowiecki. The rail workers will certainly be followed by other groups — perhaps even the miners — as unemployment creeps up to the half million mark, the poverty belt grows and old age pensions shrivel.

The failure of the IMF-backed economic reforms to produce quick results will encourage the leftists in Solidarity to make common cause with the survivors from the communist party. The reforms would then be watered down and Solidarity would squander its political capital. The Solidarity leader is, then, anticipating events, pushing the Prime

Minister, but not so hard that he topples. He hopes for the emergence of two main political groupings in the next few months: a centre-right that would continue the Solidarity strand of national independence, and a centre-left that would preserve the social democratic traces of the union movement.

Solidarity appears to have served its historical purpose as a dismantler of communism; its aim now is to be an umbrella organization until political parties take proper shape. Perhaps within a year, Solidarity can confine itself to pure trade union activities.

Local council elections, due on Sunday, are an important move, the first completely free postwar elections in Poland, since the national poll last June reserved a chunk of seats for communists. The rail strikes have embittered the atmosphere ahead of the council elections. Ordinary voters are confused, frequently having to choose between lists

of citizens' committees — broadly speaking Solidarity but including many different political orientations — extreme right-wingers and ecologists who sometimes also include former communists among their candidates.

Ideally the polls would be a vote of confidence on the market reforms of the present Government. But the council elections, effectively a handover of power from the central state to town councils, do not provide this opportunity. The strikes give a more precise sounding of the mood in the country.

Mr Mazowiecki plans national and presidential elections next spring. However, Mr Walesa thinks that is too long for the workers to wait, that only immediate political radicalization can really support the pain of market reform. Even the left-wingers in Solidarity, who have been quietly waiting for the IMF-sponsored economic policies to stumble, are now gripped by panic.

Gorbachov lectures Yeltsin on socialism

Moscow
PRESIDENT Gorbachov accused Mr Boris Yeltsin, the populist politician, yesterday of abandoning socialist principles and trying to "excommunicate" Russia from its socialist roots.

Mr Gorbachov was addressing the Russian parliament during a debate on "sovereignty", or expanding the economic and social powers of Russia, the largest of the country's 15 republics. The debate will be followed by the election of the Russian president.

Mr Yeltsin, who has attacked Mr Gorbachov for pursuing reform too timidly, spoke to the parliament on Tuesday. He is standing for president, but is thought to be a long shot against Mr Aleksandr Vlasov, the Russian Prime Minister, who has Mr Gorbachov's backing.

Mr Gorbachov said Mr Yeltsin's address on Tuesday, in which he had blamed Russia's economic ills on centralism, had been tantamount to "an appeal for a collapse of the Union" under the cloak of sovereignty and was a recipe for confrontation. Mr Gorbachov told more than 1,000 deputies that Mr Yeltsin's speech represented "an attempt to excommu-

nicate Russia from socialism". "There was not a single mention of the word 'socialism'. Even the words 'Soviet' and 'socialist' disappeared from Yeltsin's name for the republic."

"For us Russians, for all peoples of our country, the socialist choice, the power of the soviets, are not just phrases. These are our fundamental values, our benchmarks," he said. Mr Yeltsin's call for sovereignty to extend to individuals, factories and local councils "takes the question to the absurd and would in any case lead to anarchy, to parochialism."

In his speech on Tuesday, Mr Yeltsin had said Russia's dire economic difficulties were "the fault of the imperial policies of the centre. All the damage was done by the central administrative system." A former junior member of the Communist Party Politburo, hugely popular among ordinary Russians, he called for "real economic and political sovereignty".

Mr Gorbachov, who spoke to the parliament at the request of deputies, dismissed the notion that five years of perestroika reforms had been "nothing but a mistake" and gave an oblique warning. "Discussions often take on a politicized character," he said. "The balance of forces can clearly be seen, as can political games to take over power. I think we have to be careful with this. There should be fewer political rallies and more, deeper analysis."

He offered his support for the principle of sovereignty for Russia, adding that the Soviet Union was "inconceivable without Russia". Most deputies, including Mr Vlasov, have spoken in favour of sovereignty, emphasizing that Russia did not receive adequate compensation for its contribution to the Soviet economy.

● **Strike called off.** Russian workers in Estonia called off a strike against the republic's independence declaration yesterday after an appeal from President Gorbachov.

A spokesman for the organizing committee said the three-day-old strike, which has almost closed the republic's main port, disrupted transport and closed factories, had been called off indefinitely and would end this morning.

Speaking from the rebel republic's capital, Tallinn, he said: "We received a message from President Gorbachov expressing support for and solidarity with our struggle but asking us, in connection with the serious economic situation in the country, to call the strike off."

However, he added: "If the supreme soviet of the republic or the government take further measures to aggravate the situation, we reserve the right to resume it at any moment." (Reuter)

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Grouse back on menu

FROM MICHAEL BINYON
IN BRUSSELS

THANKS to the learned counsel of five justices of the European Court of Justice, the Glorious Twelfth may now whet with anticipation the palates of Dutch gourmets. For the first time in over half a century, it will be legal to eat British grouse in Holland.

The Luxembourg-based court ruled yesterday that an ancient bird protection law in The Netherlands, forbidding the import and sale of endangered species, could not be used to ban the sale of grouse legally blasted out of the sky on the Yorkshire moors.

The "Gourmetterrie Van den Burg" restaurant had offered the delicacy to its clients, but had been hauled before Dutch magistrates for breaking a 1936 law. The restaurant appealed, and the Dutch High Court, mindful of the European Community's dire penalties for quantitative restrictions on the free circulation of goods, turned to Luxembourg for a ruling.

The judges looked carefully at the Dutch law. It forbids any trade in endangered species and the shooting of migratory birds. The grouse is not a native of the Dutch lowlands. However, it is neither migratory nor, thanks to the British rules of fair play, endangered.

The court noted that the Bird Protection Act was aimed at other species — those considered the "common heritage of the Community" and those on the way to extinction. The grouse being served up in Holland had been shot in accordance with the regulations in Britain. They could be eaten in their native land; why should Dutch restaurant-goers also not relish the delicacy?

Brussels had already put out a directive in 1979 to preserve Europe's birds — a vain attempt to stop the wholesale slaughter of migratory birds as they fly over Italy. Community law gave any member a full right to insist on even stricter protection measures. But this could not be used to prevent the free trade in food, especially if it was food legally available in another country.

FROM IAN MURRAY IN BONN

WHILE East German industry awaits the onslaught of capitalism with apprehension, one new home-grown business is on the way to market viability without need for subsidy or start-up money. Erotic shows, although still banned by the old communist constitution, are bursting out all over.

According to Herr Lothar Voigt, who runs the Spree Cabaret underneath the Palast der Republik, where the Volkskammer meets, "the demand is huge". He opened the first, not very naughty striptease show in East Germany 11 years ago, but in more recent years, clubs have skirting the law by staging "fashion shows" at which the "models" showed less and less clothing and more and more girl.

Young girls, prepared to show all



Browsing in vain: Rows of empty shelves confront Muscovites in a government store. Steep price increases are expected to be announced today

Iliescu is shadowed by spectre of party past

FROM CHRISTOPHER WALKER IN BUCHAREST

MR ION Iliescu, the former Communist Party apparatchik due to be named tomorrow as the next President of Romania, is the least charismatic but most controversial of the new breed of leaders to emerge from the recent upheavals in Eastern Europe.

His claims, after an electoral landslide of embarrassing proportions, to be about to steer Romania on a path towards Swedish-style social democracy have been rejected by the demonstrating students who dismiss him as a reformed Communist in the Gorbachov mould.

At the age of 60, Mr Iliescu was the youngest of the three presidential candidates and the only one to have lived all his adult life in Romania. His Soviet ties are so deep that Western intelligence experts are convinced that he was head-hunted for the task of replacing Ceausescu by President Gorbachov himself.

Mr Iliescu flatly denies the suggestion that he was a close friend of Mr Gorbachov during their shared student days in Moscow where he spent

five years studying at the Molotov Institute, the leading party-cadre training school.

His denials are dismissed by many intellectuals as being part of recent efforts to distance himself from his pro-Soviet background. The conviction of many of his opponents that he is little more than a Soviet puppet, installed by a coup disguised as a revolution, has dominated much of the post-electoral criticism. It has failed to upset the great majority of ordinary Romanians.

Since taking charge of the provisional Government, caution has been Mr Iliescu's watchword. Despite his intellectual ebullience he is not regarded as having the breadth of political imagination necessary to solve Romania's pressing problems. Having initially hinted that he would pull the country out of the Warsaw Pact, he announced publicly after Sunday's vote that he would now be keeping it in.

Those close to the President-elect claim that many aspects of the administration

he has run since the revolution are based on strict communist lines. That is not surprising for a man who was scarcely 14 when he joined the Union of Young Communists and continued a long party career, which only ended in 1984 when he was removed from the Central Committee.

While supporters emphasized his differences with Ceausescu, critics note his long membership of the Politburo and also a full member of the party's propaganda department and at one time, Ceausescu's chosen successor. It was only in 1987 that his disgrace became absolute.

But as the election results giving him around 85 per cent of the vote showed, this failed to move an electorate determined to see him as the hero of the December revolution.

● **Currie challenged:** Another British observer of the Romanian election yesterday dismissed Mrs Edwina Currie's view that it was fair (Andrew McEwen writes).

Mrs Jessica Douglas-Home, whose late husband, Charles, was a former editor of *The Times*, said that Mrs Currie's opinion out across the findings of a more experienced team of observers. She was one of three Britons among 60 observers sent by the US National Republican Institute and the National Democratic Institute. They found that the poll was "not consistent with a democracy", after making observations in 12 regions.

"Before the election there was intimidation, harassment and a very high degree of control by the Government", she said.



Mr Iliescu: Apparatchik in the Gorbachov mould

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Nato to lower state of alert

FROM MICHAEL EVANS IN BRUSSELS

NATO defence ministers agreed in Brussels yesterday that the state of readiness and availability of some of the alliance's standing forces in Central Europe could be lowered for the first time since the beginning of the Cold War.

The decision at the Nato Defence Planning Committee represents one of the most significant practical measures taken by the alliance in response to the changes in the Warsaw Pact.

Herr Manfred Wörner, the Nato Secretary-General, said the details of the lower alert status were classified. But he singled out air defence as an area that would be affected by the decision.

This will mean that some RAF squadrons and other alliance air forces on a high alert status in West Germany will adopt a more relaxed regime. It is likely that some air defence missile units, and possibly battlefield nuclear weapons batteries, will also have their status changed.

But Herr Wörner was quick to point out at a news conference that the decision did not imply that troops in the front line could now be pulled back. He said: "This is not a message for troops to go home."

However, the defence ministers agreed, after examining a new risk assessment document, that there was now a "substantial increase in warning time" because of the collapse of the Warsaw Pact.

Mr Richard Cheney, the US Defence Secretary, suggested that, once Soviet troops had left Eastern Europe, the US would be able to change the mobilization period for American reinforcements to Europe from 10 days to a "few months".

British troops in West Germany have a requirement to be ready to reach the inner

German border within four hours. This commitment may also be under review.

Yesterday's communiqué said further "substantial" reductions and adjustments are to be made in military training programmes. "This will reduce the impact on the public, will benefit the quality of life and protect the environment," the communiqué said.

Nato sources said the cut-back in training involves the cancellation of 10 exercises. A further 22 would be merged and 22 reduced. Nato's repair bills for damaging German farmland would be cut by \$21 million (£13 million) a year.

It was confirmed, too, that the 3 per cent annual rise in defence spending was now regarded as "no longer appropriate".

Mr Cheney also said yesterday that stocks of US nuclear artillery shells in West Germany have had to be repaired urgently because of doubts about safety standards. However, he rebutted a claim in *The Washington Post* that the "defective" W79 shells could have exploded.

Mr Cheney said the safety scare had arisen before he had been appointed Defence Secretary, although he had been able to check the records. The problem was first discovered in 1988. Mr Cheney said that the US maintained very high safety standards and the W79 had failed to meet those standards.

The nuclear shells, which are fired from 203 mm (8 inch) howitzers, are stocked in West Germany, Italy and The Netherlands. Detonated in wartime, they would deliver a minimum 2.3 kiloton nuclear yield. The report in *The Washington Post* claimed the warhead would produce a 10 kiloton yield, two-thirds of the force of the 1945 Hiroshima bomb.

US right furious at Start accord

FROM MARTIN FLETCHER
IN WASHINGTON

ONE week before the Washington summit, American conservatives are vigorously denouncing the agreement on strategic nuclear arms reduction talks (Start) that Presidents Bush and Gorbachov are due to sign.

Right-wing commentators and former Reagan Administration hawks are protesting that, in order to secure a summit deal and help Mr Gorbachov, Mr James Baker, the Secretary of State, sold out American interests by making needless concessions: during last week's talks in Moscow. The Administration strongly denies the charges.

Mr William Safire, the *New York Times* columnist, claimed that with the Administration "paralysed by fear of the who-lost-Gorbachov charge" the "vaunted negotiator (Baker) caved in to basic Gorbachov demands all the way down the line".

A damning *Wall Street Journal* editorial entitled "Stop Start" observed that the US had made all the concessions and concluded: "If Jimmy Carter signed this deal, he'd be hoisted out of town."

Mr Richard Perle, who was former President Reagan's Assistant Secretary of Defence, commented: "We are strong, and just at the moment we are strong we are making concessions." Another Reagan Administration arms control expert called the deal "a formula for disaster".

The critics make much of President Bush's less-than-effective response to what Mr Baker achieved in Moscow. Initially he gave the results a "mixed review", only subsequently upgrading them to "a major step forward".

Their anger is focused particularly on how to limit Moscow's highly accurate long-range SS18 missiles. The Russians agreed to cut their 308-strong SS18 arsenal in half, but the conservatives say the US has dropped its earlier demand that these must not be modernized.

"The big US objective in Start has been to limit the first-strike potential of the huge land-based Soviet missile force," said the *Journal*. "But the Soviet first-strike advantage remains intact."

A senior Administration official who briefed journalists here on Tuesday strongly disputed that claim. The 50 per cent cut was "nailed... in the can", he said. What Mr Baker had proposed was that the Russians should be able to do just enough testing to be able to preserve the reliability of its current SS18 force but too little to develop more modern successors. "It's a cap."

The critics are angry that Mr Baker bowed to Soviet demands that the treaty cover all air-launched nuclear-tipped cruise missiles with a range of more than 375 miles. The original American position was 930 miles.

They say the Russians upstaged clear US priorities by moving on a strategic arms deal ahead of a much more important conventional arms agreement.

Striptease a boom industry in unshackled East Germany

FROM IAN MURRAY IN BONN

WHILE East German industry awaits the onslaught of capitalism with apprehension, one new home-grown business is on the way to market viability without need for subsidy or start-up money. Erotic shows, although still banned by the old communist constitution, are bursting out all over.

According to Herr Lothar Voigt, who runs the Spree Cabaret underneath the Palast der Republik, where the Volkskammer meets, "the demand is huge". He opened the first, not very naughty striptease show in East Germany 11 years ago, but in more recent years, clubs have skirting the law by staging "fashion shows" at which the "models" showed less and less clothing and more and more girl.

Young girls, prepared to show all

for DM 100 (£35), are much in demand, and the 100 or so cabarets where they appear are overbooked. The girls are also being snapped up by Western cabaret owners.

Worried that the export models will leave the home market bare, Herr Voigt is forming a lobby called the Sex League, to campaign to legalize erotic shows and make it possible to organize the business formally.

Meanwhile, West Germany's most experienced and successful sex show chain is already serving thousands of East German mail-order clients with items from its range of more than 2,000 pleasure-promoting devices. Legally, such items cannot be sent through the East German post, but since January Frau Beate Uhse has been

fulfilling the orders which have been pouring in, because it was found that the postal authorities were doing nothing to interfere with the packets.

Frau Uhse was born in East Prussia 70 years ago in what is now part of the Soviet Union. She built up her sex shop empire when, as a young refugee, she found so many people seeking advice and help about contraception and other sexual problems.

At a time when barter rather than money was the norm, she sold her first advice sheets for 4lb of butter. She opened her first sex shop in 1962 and today employs 550 people to run 46 shops and stores and 15 cinemas with an annual turnover of DM 107 million.

She started out offering an

exchange rate of one Deutschmark for three Ostmarks, but found this was uneconomic and amended this to one for five. Already she has done over DM 600,000 worth of business at these rates.

She is poised to spread her empire eastwards as soon as economic union makes it possible for her to set up a business there.

For the moment her East German clients have to find out what she has on offer from free mini-catalogues handed out by curators by the three sales teams she has already based in the East.

West Germany, despite a plentiful supply of sex shops and the erotic, has had the world's lowest birth rate for some time, with each woman producing an average of just 1.28 children — roughly five babies for each four mothers.

Suddenly, however, pregnancy seems to be popular again. Instead of wives insisting on a career, new figures suggest that more and more of them want a baby instead. The result is the beginning of a baby boom, with the average number of children per mother now at 1.5 and rising. The largest proportion of babies are being born to women in their thirties, who have had time to build a career to which they can return.

Other reasons found by researchers studying why older women are choosing to become mothers for the first time include the belief that husbands are more likely to remain faithful to an ageing wife if she starts having children.

Better obstetrics and gynaecology also make it safer for older women to have babies. For all the

wanted babies, there are still about 90,000 abortions a year in West Germany, even though technically it is illegal. The rules are more liberal in East Germany and this threatens to be one of the most difficult areas to "harmonize" as the reunification goes ahead.

● **EAST BERLIN:** East Germany's new non-communist government is dismissing 550 professors of Marxism-Leninism. Political upheavals have made the subject no longer compulsory.

Head teachers of almost 6,700 high schools, who had to be Communist Party members under the government ousted last year, are also losing their jobs in a clear-out "to promote democratic renewal in the education system," the Education Ministry said yesterday. (Reuter)

Arafat wants UN troops 'to protect' Palestinians

By OUR FOREIGN STAFF

MR YASSIR Arafat, the Palestine Liberation Organization leader, will call for the immediate stationing of UN troops in the Israeli-occupied territories when he addresses the UN Security Council in Geneva tomorrow, a PLO official said yesterday.

At the same time, the official Middle East News Agency in Cairo reported that President Bush had assured Egypt that the United States would reopen its doors to Soviet Jews in a bid to defuse Arab anger over immigration to Israel.

"Arafat will ask for protection for Palestinians in the occupied territories and for international intervention," said Mr Afif Safieh, a PLO representative in The Netherlands. "He will ask for the withdrawal of all Israeli forces now from the occupied territories and ask to send UN peacekeeping forces for an interim period."

The Security Council is due to hear Mr Arafat during a debate after an eruption of Arab violence, not only in the occupied territories but in Israel itself and Jordan. The Security Council has agreed to meet in Geneva, rather than in New York, so that the United States does not have to make a politically sensitive decision about whether to grant a visa to Mr Arafat.

Arab sources indicated that the United States had agreed not to block a plan to send a UN mission to the area, although Israel is expected to object. Mr Moshe Arens, the Israeli Foreign Minister, yesterday rejected criticism by President Bush and the European Community over Israel's handling of the violence that broke out after the killing of seven Palestinians by a Jewish gunman.

The critics had accused Israeli troops of using excessive force to put down the riots. They also say Israel has created hostility in the region by failing to get peace negotiations under way.

"We have heard people trying to make a connection between the tragedy at Rishon le Zion and the political process and the policies of the Israeli Government," Mr Arens said. "I think it should be clear to any well-meaning person that there is no such connection." Mr Arens said Israeli troops "acted in an exemplary manner" in dealing with the violence.

Only scattered incidents were reported in the occupied lands yesterday as the Army continued its 24-hour curfew on most of the territory's 1.7 million Palestinian residents. Between Sunday and Tuesday night, 13 Palestinians were shot and killed by Israeli troops. At least three people died in rioting in Jordan.

The casualties drew an unusually strong comment from the White House. Mr Marlin Fitzwater, the White House Press Secretary, said that Mr Bush had sent personal condolences to the families of all those killed in the Sunday attack and the subsequent



Women brandishing an automatic rifle and stones during a demonstration by at least 8,000 Palestinians and Lebanese in Muslim west Beirut yesterday in which they demanded revenge for the Arabs killed in Israel

Fresh hope for Cambodia deal

By ANDREW McEWE, DIPLOMATIC EDITOR

THE five permanent members of the United Nations Security Council are to hold talks on Cambodia tomorrow amid signs that a solution to the civil war may be in sight.

Diplomatic sources described the prospects as "better than they have been for a long time".

Radio Thailand said yesterday that the four warring factions in Cambodia had agreed to sign a ceasefire soon. It quoted Mr Chaitichai Choonhavan, the Thai Prime Minister, as saying an agreement was certain. His comments followed a meeting with Mr Nguyen Co Thach, Foreign Minister of Vietnam.

Mr Hun Sen, Prime Minister of the Phnom Penh Government, and Prince Norodom Sihanouk, the former Cambodian head of state, have said they will attend talks in Tokyo on June 4 and 5. While the factions have gone back on ceasefire agreements in the past and Prince Sihanouk has frequently changed his mind, there are other grounds for optimism.

A report by a UN fact-finding mission to Cambodia has encouraged the British Government to believe that an international solution is feasible. The five — the US, the Soviet Union, China, Britain and France — reached a provisional agreement in January on a 16-point plan for a UN-supervised interim government and elections in Cambodia. But there were many doubts at the time that it would work.

These have been eased by the findings of a team sent earlier this month by the UN Secretary-General's special representative on South-East Asia. The plan, a modified version of an earlier Australian proposal, depends on persuading the Phnom Penh

Colonel dies in Manila ambush

MANILA SUSPECTED communist guerrillas killed a Philippine colonel and four other people yesterday in an ambush here, a military spokesman said.

Colonel Reynaldo Dino, deputy chief for personnel of the paramilitary constabulary, was driving to work when the gunmen sprayed his car with automatic rifle fire. His two bodyguards and his daughter, who was in her late twenties, were also killed. A woman passenger in a passing bus was also killed. Ten other people on the bus, including the driver, were wounded in the attack by six gunmen in the Manila suburb of Calocan.

The gunmen fled by car after the attack, police said.

The ambush occurred on the eve of the founding anniversary of the Alex Boncayao Brigade, a communist death squad that has killed more than 100 soldiers and policemen in the Philippine capital during the past two years. The group was organized by the communist New People's Army.

"This is very likely an NPA attack," the Constabulary spokesman, Colonel Cresencio Maralit, said.

Witnesses said the gunmen used the bus as cover when they opened fire on the colonel's car, which went out of control and collided with the bus. They said the gunmen kept firing at the stalled car.

Later, about 50 members and supporters of the urban guerrilla death squad blamed for the attack held a brief rally in the centre of the capital to mark the sixth anniversary of the group's founding. They unfurled large streamers and banners calling for "insurrection" and support for "armed partisan warfare".

President Aquino said the killing was brutal and senseless and she called for "swift justice".

The ambush was the latest sign of the deteriorating security in the capital as the rebels step up their fight to overthrow the Government.

The Cabinet decided yesterday to ask Congress to extend the President's emergency powers by six months. The additional powers were granted after last December's coup attempt. (Reuter, AP)

The military in Burma head off opposition

From NEIL KELLY in BANGKOK

THE Burmese military regime has cut the production of the traditional peasant hats made from bamboo, on the ground that they are made from products of the threatened rain forests; but the move is being seen as a way of preventing their use as anti-government symbols in the elections on Sunday.

The peasant hat is the election symbol of the leading opposition party, the National League for Democracy, many of whose supporters have taken to wearing the National Unity Party's rice stalks around their ankles or in their shoes as a gesture of contempt for the party favoured by the military regime.

Only six of the 93 parties participating in Burma's first multi-party election for 30 years are serious contenders. The election, which is intended to improve Burma's international image, is taking place in an atmosphere of secrecy and fear. Voters will go to the polls under martial law and a night curfew. There is no freedom of assembly or speech and all campaign statements are checked in advance by official censors.

Mild criticism of the previous military government is permitted, but not of the existing regime. No complete list of candidates has been published, and after the voting the winners' names — but no other polling details — will be made known. The Government, which controls all the media, is running a virulent campaign against anti-military parties, propaganda which one foreign ambassador said "makes Dr Goebbels look like Billy Graham".

Citizens are advised not to vote, because they are told "democracy does not work". Many of the half-million people forcibly removed from their homes to new areas recently will not be able to vote because they are on no electoral roll.

Most of the key figures in the election are not visible. General Ne Win, the dictator for 26 years, is retired officially and has not been seen for 14 months, but still has the last word on the big issues. The best known opposition leaders, U Nu, the former Prime Minister, and Daw Aung San Suu Kyi, leader of the National League for Democracy, are under house arrest and banned from the election.

Many of their senior colleagues and thousands of their supporters are in jail, where recently released prisoners say that they are being tortured.

Mr Paul Key, a 45-year-old London physicist recently detained for three months in three different jails after entering Burma illegally, said he saw political and other prisoners abused routinely with electric shocks, beatings and Chinese water torture.

Amnesty International said earlier this month that torture was widespread in Burmese jails. Mr Ko Ko Aug, aged 22, a student who has just escaped to Bangkok, said he was imprisoned twice in Rangoon's infamous Insein jail after being repatriated from Thailand. In two 48-hour ordeals, he was blindfolded, denied food and water, questioned incessantly and beaten, punched and kicked. Agents of the feared Directorate of Defence Services Intelligence threaten reprisals against members of opposition parties and their families.

Western diplomats in Rangoon say all that has happened so far rules out the possibility of free and fair elections. Confined to Rangoon, they will have no way of judging if the ballot has been rigged.

Foreign journalists and other professional observers have been denied visas to enter Burma. Preparations for the voting and the electoral rules suggest that the Government wants a result acceptable to the military, with the opposition allowed to win enough seats to give the election a veneer of legitimacy.

There will be no early hand-over of power, though, whatever the result. Major-General Khin Nyunt, the powerful intelligence chief, announced last month there would be no change until there was a new constitution permitting the formation of "a strong government able to lead the state". He indicated that the present regime would control that process, which could take two years — a daunting prospect for the Burmese cowed by the crushing of pro-democracy demonstrations in 1988.

Rebel arrests: Burma said it had arrested members of insurgent sabotage teams which intended to disrupt Sunday's parliamentary elections.

Military authorities have repeatedly said Karen and other ethnic guerrillas have joined forces with student dissidents for sabotage.

The report warned Burmese they risk seven years in jail for failing to report an act of treason. (Reuter)

Singapore auctions right to a car

From BRIAN JAMES in SINGAPORE

THE citizens of Mr Lee Kuan Yew's Singapore cannot assume anything, even the right to own a car. Faced with the inexorable rise in ownership and the inevitability of the island republic choking on an over-rich diet of too many cars, the Prime Minister has just begun making Singaporeans bid against each other for what will be the privilege of car ownership.

London drivers milling around Mr Lee during his visit this week are acutely aware that the only promise made by our experts is that by the year 2025 Britain will have twice as many vehicles competing for space on the country's roads.

Singapore, which compared with Asian neighbours like Bangkok, Bombay or Tokyo is no more than an automotive village, claims it has more cars per mile of road than Britain. But that is a statement about the smallness of the nation rather than about the state of its streets: it rarely has the jams we regard as routine. What makes the true contrast is the difference between their willingness to tackle the future and our own attitude.

The means Singapore has used until now have included a levy on all car imports of a soaring 175 per cent (thus a £10,000 Japanese saloon is a £17,500 luxury by the time it leaves the docks), an annual Registration Disc that can cost up to £1,500, and a system of

Restricted Zones into which you may not drive without payment for another piece of windscreen paper of £30 per month — £60 for company cars. But this month has seen the arrival of the most costly document yet.

From May 1, no Singaporean may buy a new car without a Certificate of Entitlement to Purchase. He obtains such a certificate only by taking part in a cut-throat auction against his fellow-citizens.

Predictably, the plan provoked outrage, even among the compliant Singaporeans. On top of other taxes and levies, in addition to swingeing fines on jay-walkers and litter-droppers, this was seen as going too far. The measure

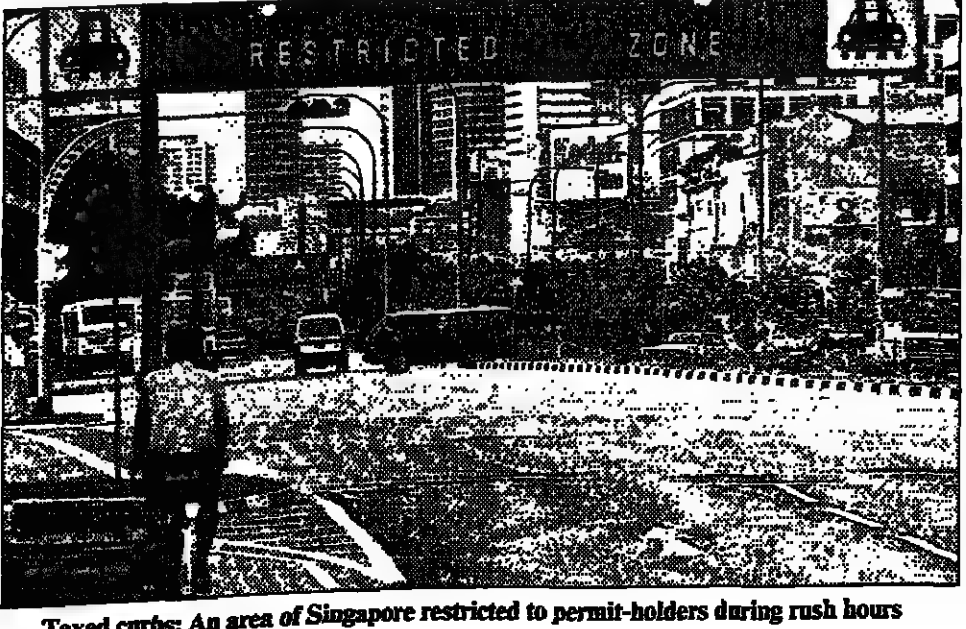
was explained patiently by Mrs Maria Choy, director of the Land (transport) Division of the Communications Ministry. "Ownership of private cars on the island went up from 135,000 in 1977 to about 240,000.

"The forecast was that as the economy boomed we would be moving towards 350,000. And then what, 500,000? The Government tried to control the growth by taxes... but it was all guesswork: how much more could we pile on the motorists? What would it take to drive them off the roads? So we decided on this approach. Let the Government decide how many cars we could tolerate. Let the public decide the price they were prepared to pay to own one of them."

But would not this system mitigate against the lower-paid? "A little, but we have fine public transport."

The scheme works this way: each quarter the Government works out how many new cars it can permit in Singapore (based on numbers scrapped and roads progress) and allocates so many certificates to the four classes of private car, goods vehicles and motorcycles. Would-be owners get a form and make their bid.

In this first quarter, Singapore is to permit 14,000 new vehicles. In the family car category 8,944 citizens bid for 4,583 certificates. The highest bid was more than £4,000, the lowest 33p. Officials counted from the top and the 4,583rd best bid was £1,007. As the lowest successful bid, this set a price for all certificates sold in this category.



Taxed cubs: An area of Singapore restricted to permit-holders during rush hours

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Justice seen to be undone

P.A.J. Waddington

The likelihood that the Maguire family will have their convictions retrospectively quashed, coming in the wake of other scandals during recent months, calls into question the entire criminal justice system.

At the centre of that system is the adversarial approach to evidence — on the face of it, a sensible way of exposing flaws in the opposition's case. Surrounding the accused with various safeguards is supposed to minimize the conviction of the innocent. In actuality the criminal trial is a parody of truth-seeking, akin to the Mad Hatter's tea-party, in which discovering the truth is subordinated to winning.

As anyone who has given evidence in a criminal trial will know, the one thing that one is not allowed to do is "tell it like it was". The inevitable jumble of experience, impressions and feelings are required to be laid out with precision for clinical examination.

Having once given evidence in a motor case in which a lorry had crossed a red light and hit a car behind which I had been travelling, I met a colleague who had heard my testimony. He remarked that, according to his calculations, I testified that the lorry was travelling at 400 miles an hour and stopped on a sixpence. Such a ridiculous conclusion arose from being asked a series of highly specific questions which effectively divorced experience from evidence.

Cross-examination seizes upon detailed inconsistencies and contradictions in an attempt to discredit testimony. Since the burden of proof is "beyond a reasonable doubt", uncertainty or ambiguity — the very essence of daily experience — are intolerable in court. The aim is not to find out how much or in which respects testimony can be relied upon. It is a zero-sum game in which evidence must be accepted as wholly true or worthless.

The jury, too, is placed in the impossible position of determining guilt on grounds that defy common sense. The choice they are offered is bizarre: not "what, if anything, did the accused do?", but "did the accused do what the prosecution alleges he did?". The possibility of concluding, as might a reasonable person listening to the evidence, that the accused is not guilty as charged but is guilty of something else, is not allowed. Moreover, this is a decision that must be made "beyond a reasonable doubt"; any doubt that the accused may not have committed the offence renders the entire prosecution case null and void. All the while the one person who knows most — the accused — is uniquely allowed to remain silent.

In making its decision the jury is not permitted to have at its disposal information which in any other situation would assist valid decision-making. Hearsay evi-

dence is inadmissible, presumably on the grounds that a jury is incapable of weighing it for what it is worth. Nor can jurors hear evidence of previous convictions or court appearances, because, in the bizarre world of the courtroom, making a decision without relevant knowledge of the characters involved is better than knowing what type of people they are. If jurors cannot be trusted with this kind of information, they surely cannot be trusted to take such an onerous decision at all.

When the jury has made its decision, the reasons for it not only remain obscure, we make a fetish of keeping it obscure. What it found compelling or questionable cannot be ascertained, so if there should be an appeal, appellate judges are left to speculate as to whether new evidence would have made any significant impact upon a jury's decision.

The *Alice in Wonderland* rules that govern evidence are more than ridiculous; they also corrupt the criminal justice system. The imperative for either side is to win, not to discover the truth of what happened. For the prosecution this amounts to building a case against an identified suspect which excludes the possibility of doubt. CID officers do not spend their time deductively investigating real-life whodunits, but ensuring that all the pieces of the evidential jigsaw fit together with as few gaps as possible.

This threatens the interests of justice in several ways. First, it exacerbates the human tendency to seek information that confirms the initial decision of belief and to disregard information that qualifies, compromises or contradicts it. Second, since the case must exclude doubt, there is an incentive to gild the lily through over-statement and pseudo-precision — in police statements (but few other places) people do things in precise and clearly identified sequences.

Third, if it is clear, for reasons which though compelling are legally inadmissible, that the accused is guilty, there is the strong temptation to fill any gaps with fabricated evidence.

When the criminal justice system fails, as conspicuously as it now has, we turn not to an adversarial charade to find out what went wrong, but to an inquisitorial tribunal like the May Inquiry.

Perhaps the time to adopt an inquisitorial approach is before the system fails, when the case is first being tried, not when it is too late. Instead of deluding ourselves that we have the "best system of criminal justice in the world", which only needs tinkering with, the time has come to make radical changes and adopt the inquisitorial system widely used on the Continent.

The author is director of criminal justice studies at the University of Reading.

...and moreover

CLEMENT FREUD

What is this that this is? I asked the waiter in French, pointing to the menu item, *Le Filet de Rock ou Fumet des Legumes en Vin Blanc* £12.95, in which I had understood all the words except Rock. He said it was a fish, a fish of Provence that came from the rocks and crevices of the sea. "Funny Freud didn't know that," I overheard a man tell another down the table.

Oh all right, I said, I'll have it — adding that I was not a French fish I had ever encountered. He gave me a look that waiters reserve for customers who got less than seven out of 10 in psychology.

It was a serious restaurant: all the waiters spoke English with strong French accents — even the ones who came from Stockholm — and for the first five minutes they played out the full repertoire of their profession: took away the plate and the knife and the fork behind which the six of us had been seated; removed the large glasses and brought small ones; slid the napkins out of the napkin rings, smoothed the linen, placed them in our laps and took away the rings, possibly to a safe deposit box at a Swiss bank. Later they came back with menus, suggested aperitifs and, at the host's behest, I was given the wine list. I chose the more expensive of two Sancerres.

At length, the wine waiter returned with a nicely chilled bottle of the less expensive Sancerre, gave it to me to inspect, grudgingly agreed that it was veritably not the Sancerre that I had ordered, and replaced it with the right one at room temperature. His cousin, the while, was presenting the bread basket, taking innocent delight in giving guests the bread roll most distinctly removed from that to which they had pointed.

A serious restaurant, then, in which the wine is poured to fill one-seventh of the glass, whereafter the waiter removes the bottle to a distant wine-bucket. This forces customers to ask for more wine, to which entreaty the sommelier replies, "It is no trouble", and dispenses another thimble-full all round

to make everyone appreciate the importance of the man's presence to the overall enjoyment of the feast.

The place was as full as such places deserve to be — like not — and an hour and 15 minutes after our arrival one noticed the change in the pace of the staff's movement which denotes the imminent arrival of the main course. Our six covered plates, having been identified on the sideboard, were now placed before us, and the most senior of the serving people, she who must have been at least 20 years old, gave a flicker of an eyebrow and the half-dozen silver cloths were simultaneously lifted to display the content of the *oeuvres du maître chef de cuisine* — in my case a rather fishy looking piece of *scyllorhinus stellaris*, a subspecies of shark known as lesser-spotted dog-fish (dog-fish as the fish hunt in packs), often called rock salmon or rock eel by socially ambitious fish and chip shops such as encourage their clientele to wear yachting caps.

On returning home I browsed among my French cookery books for signs of "rock". Larousse, which proclaims to be the ultimate authority, moves smoothly from Robert, Sauce, to Rogons, de Veau, Escouffe mentions it not, nor Carême. Elizabeth David in a chapter on Mediterranean Fish remarks that rock-salmon can be used as an alternative to real fish, and wise Tom Stobart, whom I respect above all other culinary experts, writes of what the *Auberge de Provence* in Buckingham Gate, London SW1, called "rock": "There are few serious recipes for dog-fish, though in Germany the belly-flaps are considered a delicacy."

It is not a matter about which one would make a major scene, but there is something fundamentally rotten about a French restaurant setting up an offshoot in England, buying the cheapest fish in Billingsgate and selling it back to us enveloped in French words, without even the courtesy of Frenchification — as they do in *Le Biftek avec Pouling Yorkshire*.

Robin Oakley talks to the SDP leader about his plans for the general election

Dr Owen hints at a return to Labour

Dr David Owen yesterday offered broad support for the Labour policy review and signalled that he might yet endorse Neil Kinnock's party at the next election as one to which Social Democrats could safely return. While the SDP leader said there was no question of his ever joining the Conservative Party, he refused to rule out his return at some stage to the Labour Party.

In an interview with *The Times*, Dr Owen said that the prospect of a pact between the SDP and Labour was greater than that of one between his party and the Liberal Democrats. And he hinted that if he did not succeed in securing such an electoral arrangement, he might not himself fight the next election. His mind was not yet made up, because anyone fighting an election had to be ready to serve through the next parliament, and he was not yet ready to give that commitment. "The SDP will carry on regardless, whether I'm there or not."

Dr Owen said that Labour was moving towards social democracy and that it would not be long before Labour MPs with European connections began to use the

words Social Democrat. "I have always said I would never join the Conservative Party. I'm not a Conservative. I have admiration for some of the things that Mrs Thatcher does, almost always when she is acting like a Tory, breaking up monopolies, challenging vested interest. But I'm not the slightest bit attracted to the Tory party or government. And I don't find the wets the slightest bit appealing."

As for Labour: "It is extremely unlikely that they would want me or that I would want them. If there was to be an arrangement with the Labour Party it would be better and easier, and carry more credibility, if it was with an SDP that still existed."

But he continued: "If that is not possible, and we have the lunatic course, and all fight each other at the next election, I have no messianic view that I have to tell the British public how to vote. In those circumstances I would have enough difficulty making up my own mind in the privacy of a polling booth. However, I am ready, if there have been enough changes, to choose to help to get an alternative government. I haven't

yet seen it, but Labour has moved a long way."

Dr Owen, once Foreign Secretary in the Callaghan administration, said: "Something makes me stop saying I will never rejoin the Labour Party." And he praised Mr Kinnock, saying: "He has changed a lot. That takes courage. But I don't think the public know if his conversion is real, that is his problem."

Agreeing that on Labour's tax proposals the SDP was finding "increasing common ground", Dr Owen praised Labour's shift on economic and industrial policy, saying: "John Smith, Gordon Brown and Tony Blair have produced a really quite marked shift. There is still a slight tipping of the hat to old style corporatism and a touch of interventionism, but it is a tipping of the hat to say goodbye." What Labour should do, he said, was to adopt the SDP's "big idea" of merging the tax and social security systems. It should drop its complicated tax reforms, which would overload the system.

He praised Labour for being "more positive about the European Community" and he said that there was a "much firmer

edge" about Labour's emphasis on the anti-inflationary value of joining the exchange-rate mechanism of the EMS. He declared: "There is for the first time a sniff of the 1990s about their policy here. It is still only a sniff, but you do get the feeling that, on ERM and the EMS and the EC, it is not just warmed up Callaghanism but that the party has moved on, and that's right."

But Dr Owen made it clear that, apart from a willingness to support proportional representation, any deal between the SDP and Labour would require further movement from Labour on defence. He said: "Kinnock has himself to take on defence. He's too vulnerable on this issue to ignore it. He's got to show a level of understanding and involvement. He's got to show he understands why Mitterrand and Rocard are willing to have a French nuclear deterrent and why they are ready to have air-launched stand-off missiles on their Mirages. There is a case for us having the same on our Tornadoes."

"Because his conversion is suspect he's got to reinforce the impression that he is serious, and

he has not got a lot of time."

Saying that Mrs Thatcher would fight the next election and "very likely" win it, and the 1990s then belong to the Conservatives, Dr Owen said it would be "sheer lunacy" for the Labour Party, the SDP, the Liberal Democrats and the Green Party to fight each other at that election. "In 1983 and 1987 the opposition parties were genuinely divided on substantial questions. In 1991-92 the situation will be very different. The policies of the opposition parties are much closer. The Labour Party is no longer advocating deeply dangerous and deeply damaging policies."

Dr Owen predicted that Labour would "come down to earth with a bump" next year as its lead in the opinion polls collapsed, and it might then be willing to consider working with others. "There is virtually no chance with the Liberal Democrats, but there is a very small chance with Labour." He himself would stay in politics only "as long as there is a constructive role, as long as there is a real chance of getting together a governing force which would be good for the country."

Faith may move mountains but not the one-trek mind

Bernard Levin on a burden de Klerk shares with Gorbachov: ancient, undying attitudes that defy reform

President de Klerk's *grand tour* seems to be going well; whether he too can go well is still an open question. He is certainly saying things that sound significant, but so is President Gorbachov, who is finding out that although *glasnost* and *perestroika* are fine words, they would butter no parsnips even if the Russian people had any butter, or for that matter any parsnips. Some of the things crawling about in the political undergrowth of South Africa can give you nightmares, and Mr de Klerk's position is quite as precarious as Mr Gorbachov's, if not more so.

Until the evidence is unambiguous, we should mute the cheers for a free and peaceful South Africa. But we should not allow the cheers to be silenced altogether. Remember that the years when progress seemed a mad idea, so mad that it was not worth even talking about it, were the years in which Mr de Klerk was coming to political maturity. Just as I prophesied the avatar who would come to begin the cleansing of the Soviet Union, and watched without surprise the appearance of Mr Gorbachov with a giant mop in his hand, so I never allowed myself to believe that the ice age in which South Africa lay frozen would or could endure for ever. I was often accused, during the two long nights, of foolish and reckless optimism; well, I am an optimist and I shall never cease to be one, but it was not just that which told me that I would see the Soviet Union free and South Africa fair; the main reason for my immovable conviction will be found summed up, with admirable conciseness, in the seventh chapter of St Matthew, verses 24-27 inclusive.

Yet just as Mr Gorbachov, even if he is entirely genuine, is in a race to break the habits of thinking which have been so long and so deeply ingrained in the beliefs and attitudes of his country, so Mr de Klerk, even if he is entirely genuine, is in a race with

those who refuse to become colour-blind.

Which brings me to Piet van der Merwe. Van der Merwe is the archetype stupid Afrikaner, about whom all the stupid-Afrikaner stories are told. (A sample: Lieutenant van der Merwe is asked how he would arrange a firing squad to make absolutely certain that the condemned man is shot; he replies that he would put the victim in a cleared space and have the riflemen form a circle round him. A second sample: Constable van der Merwe is putting in for promotion, and has to answer some test questions, one of which is, "What are rabies and how do you treat them?" Van der Merwe's answer: "Rabies are Jewish priests and I treat them with contempt.") And what the Soviet reformer has to put up with in the form of apparatchiks meticulously trained never to have a thought of any kind, the South African reformer has to put up with in the form of Piet van der Merwe.

Piet, as I may presume to call him (he is really quite a friendly figure), was photographed some weeks ago, at a scene of violence. This particular van der Merwe was a young, smooth-haired policeman, quite good looking and in the thick of the struggle (van der Merwes are not cowards). He was plainly taking his job seriously; his tongue was between his teeth, and his whole demeanour showed the effort he was making. And, without malice aforethought, or indeed anything aforethought, he was doing what he had been trained to do, what he did better than anything else, and what he enjoyed most in the world: he was hitting what he would call a Kaffir over the head.

You must understand that Piet van der Merwe, for all his sterling qualities, can hold in his mind at any time only one thought at most; if the one thought is a large or complicated one, he can grasp only a part of it. It is therefore felt essential that whenever van der Merwe is in a position of some responsibility or power, those



instructing him make sure that they never give him more than one thought, and that, if possible, a simple one.

When van der Merwe joined the police force, he was told that his job was to hit Kaffirs over the head. His superiors, mindful of the limited thought-space in his mind, would have taken care not to complicate things by varying the rule according to the circumstances; they rightly feared the potential confusion in van der Merwe's mind if he was told that he should discriminate by, say, situation, time of day, demeanour

of Kaffir, presence of cameramen, etc. No, better play safe: tell him that all he has to do is hit Kaffirs over the head, an instruction naturally accompanied by reassurance that nothing untoward will happen to him in the way of accusations of brutality or the like.

From that day to this, van der Merwe, with his IQ of 37, has stood foursquare before his duty, and hit Kaffirs over the head; what is more, from this day to when he is buried, he will continue to hit Kaffirs over the head, and if there are any Kaffirs where he is going

after he dies, he will hit those Kaffirs over the head, too.

President de Klerk, like President Gorbachov, has very serious problems to deal with, whether he is the Man on the White Horse or not. But Mr de Klerk, again like Mr Gorbachov, is unable to get down to the immense task before him — which is the transformation not just of a country, but of the entire ethos, attitude and nature which has made that country what it is — without finding a way to persuade van der Merwe to stop hitting Kaffirs over the head.

Of course, van der Merwe has been told from his infancy that Kaffirs are not fully human beings, but a lower order of creation. That, however, is not why he hits them over the head; if he were told they were god-like beings, but that nevertheless he had to hit them over the head, over the head is where he would hit them. After all, nobody told him in the first place why he was to hit Kaffirs over the head, and he certainly did not think to ask.

Some think that the devil rules the world. Of these, many would point to van der Merwe to support their claim. They would speak of his pointless cruelty, his racial prejudice, his disregard for justice, his brutalizing of himself. They miss the point; I go so far as to say that van der Merwe is not basically a bad man at all. He is just a man who has had, throughout his life, only one thought in his head, and it has never occurred to him that he might change that thought for another one. Until he does, until the characteristic sound of South Africa ceases to be the thwack of van der Merwe's club on the head of the nearest Kaffir, that beautiful country will never cleanse the stain on her beauty, and President de Klerk will draw up Constitutions in vain.

*Commenting on the collapse of B & C, I prophesied that Sir Peter Thompson, executive chairman, would get a huge "golden handshake" from the crash. He assures me that he would get nothing by way of handshake, and for his entire remuneration only a twentieth of the sum I mentioned. I accept his assurance and offer him apologies for my injustice.

Down to the sea in trains

A plea has gone out from British Rail for ideas for a name for the new Channel Tunnel train service, a name that must rival Concorde in the public imagination. Tickets for the first run through the tunnel are offered by BR to any *Times* reader who can come up with a winning suggestion. Some £30,000 has already been spent on consultants, who have produced more than 5,000 suggestions, not one of which has been judged acceptable. The mole, the albatross and anything beginning with Euro have already been rejected.

The task is a considerable challenge, for British Rail's brief is near impossible. Like Concorde, the name must be applicable to both the individual train and the service. There must be no hint of underground, undersea, tunneling or water, all of which, research has shown, evoke negative images

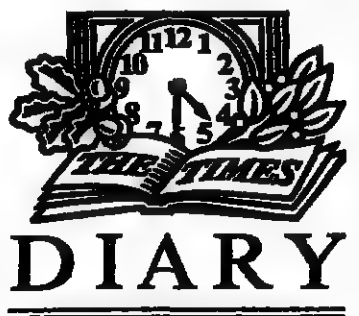
among passengers. The word must appeal equally to British, French, German and Dutch users — and American tourists as well. Yet because of special sensitivities in Belgium, to which the train will run, the word must not be French or Flemish.

Since final design work on the trains cannot be completed until a name, with all its connotations, is chosen, great urgency surrounds the selection. The train is due to run in 1993. *The Times*, as ever, stands ready to play its part in resolving this international crisis. All entries to our letters page.

Tisdall spurned

Labour's frontbench, busy seeking the mole who leaked a draft copy of its new policy statement to Michael Heseltine, has just turned down a job application from Sarah Tisdall, who went to prison in 1984 for leaking confidential memos from Heseltine himself, then Secretary of State for Defence. At the time, Labour MPs rushed to defend the Foreign Office clerk, who got a six-month sentence for leaking to *The Guardian* copies of memos which Heseltine had sent to the Prime Minister about the arrival of cruise missiles. Neil Kinnock attacked the prosecution as "authoritarian", and at least three Labour MPs visited her in prison.

Tisdall, who worked in Sir Geoffrey Howe's secretariat team when he was Foreign Secretary, must therefore have expected at least an interview when she applied for the post of researcher to John Prescott, the shadow transport minister — a job which would



have involved her in dealing with media inquiries. But despite her experience and the celebrity she once enjoyed in Labour circles, Tisdall failed even to make the shortlist.

With the party anxious to trace its own mole, and the possibility growing of a Labour government, it is enthusiasm for freedom of information diminishing? Not at all, says a Prescott aide. "Miss Tisdall was not suitable for this job." Tisdall, however, is clearly a forgiving soul. She continues to read the paper that landed her in jail: the advertisement for the job was placed in *The Guardian*.

Hain's big try

Anti-apartheid campaigner Peter Hain, once the most hated man in Welsh rugby, is about to become a non-playing member of the principality's finest club. Hain was chairman of the campaign that opposed the Springbok tour of 1969-70 and organized demonstrations at every match. The former Young Liberal, now Labour's prospective parliamentary candidate for the safe Neath seat, has been invited to become a

member of the local club. Hain recently joined members of the Neath club committee at the Welsh Cup final at Cardiff Arms Park, scene of one of the worst demonstrations 20 years ago.

Hain, however, says he has no fears of being put on the spot by members of the Neath team who favour playing in South Africa. Seven Neath players are now touring Namibia with the Welsh side, but before they left they signed statements supporting the sports boycott of South Africa, and the Welsh Rugby Union has taken the same stand. "The Welsh Rugby Union and Neath have swung fully behind the policy that I have been advocating," says Hain. "We can now enjoy our rugby standing shoulder to shoulder united on the sports boycott." Neath's nickname? The Blacks.

It is considered revolutionary that churches may shortly be able to advertise on British television — but on packets of condoms? It is happening in South Africa, at least, where a Dutch Reformed Church in Cape Town has been granted permission to advertise the Gospel on contraceptives distributed free by medical clinics. Each packet will bear the message that the condoms are being offered to counter Aids, but that it is God's will that sex should be part of marriage.

Time and a half

Attempts by the master watchmaker George Daniels to revive the British tradition of horology have reaped rich rewards. He produces only one gold pocket-watch a year, but they sell at more than £100,000 a

time, and he has a queue of customers. "There is an enormous market. Every year the world seems to get a little richer," he says. Daniels has produced just 22 pocket watches since he began in 1968, and six go on show for the first time in public at Garrards in London today. Clocks and watches are a lifelong obsession, he admits, and although each timepiece takes him 3,000 hours to produce, he insists: "I have never worked in my life. Creating watches is pure pleasure, with its historical, intellectual, technical, aesthetic, useful and amusing qualities."

Ring of fire

What the rest of us know as Ulster's bandit country is known to conservation branch officials in Northern Ireland's Department of the Environment as a very beautiful district. The department announced this week that it plans to designate the Ring of Gullion in South Armagh as an Area of Outstanding Natural Beauty (AONB), and invites public comment. The area is indeed beautiful, comprising an extinct volcano, Slieve Gullion, encircled by a ring of lower hills, enclosing small whitewashed farmsteads, heathland, mires, bogs and woods. There is, however, bound to be at least one objection — although it may not be formally lodged. The Ring of Gullion is also the operational theatre of the IRA's most enduring and successful unit, which lies low there between raids and uses it for swift access to the adjoining border. It will be interesting to see whether designation as an AONB will increase the flow of visitors.

I think he's in with a chance



Our



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MR GORBACHOV'S NEW DEAL

The announcement of a referendum in the Soviet Union on President Gorbachov's latest economic package was attended yesterday by a degree of confusion unusual even by Kremlin standards. Assuming that this unprecedented consultation of nearly 300 million citizens of the Union does indeed take place, a fascinating question must arise. How will Mr Gorbachov avoid it becoming a referendum, not merely on the "new deal", or even on the Government led by Mr Nikolai Ryzhkov, the Prime Minister, but on the Gorbachov presidency and the Communist Party's right to rule?

The package itself is an unsatisfactory hybrid of more or less arbitrary price and wage rises, public works programmes to soak up unemployment, and a modest attempt to deregulate some industries. It differs from Franklin Roosevelt's original New Deal in almost every respect, beginning with the problem it is intended to address: a bankrupt command economy rather than merely a depressed free-market one. Whereas Roosevelt sought to alleviate unemployment after the Depression by proto-Keynesian methods — with very little success until American rearmament began after 1939 — Mr Gorbachov is trying to prevent huge unemployment by tinkering with the misdirection of resources, instead of unleashing market forces to subvert the entire centralized system.

Thus the question which the referendum will purport to answer — "Do you support the introduction of a market economy?" — is unrelated to the ragbag of decrees which Mr Ryzhkov will unveil on television today. Not that the Soviet peoples will cast their votes on such an abstract question anyway. The risk for Mr Gorbachov is that they will be tempted simply to register their despair at the prospect of yet more sacrifices in living standards, with no tangible return and with the communists still in charge. They will say to themselves: "That's another fine mess you've got us into, Mikhail Sergeyevich!"

If the result goes against the Government, the architect of the master-plan, Mr Gorbachov himself, will coolly walk away from the consequences. He will plead as his excuse the constitutional separation of powers,

which obliges the Prime Minister, Mr Ryzhkov (who fought against the plan until he saw that his job was at risk), to accept responsibility for defeat. And who would then appoint a new Prime Minister? The same Mr Gorbachov. Heads he wins, tails they lose.

A resounding "no" to the package might be deemed less than constructive by Mr Gorbachov's remaining admirers in the West, among whom Mrs Thatcher is still the most fervent. Why, though, should a Russian, never mind a Ukrainian or a Transcaucasian, help to pull the President's chestnuts out of the fire? He has promised new deals too often before. However one looks at the present offering, it has little to recommend it to the ordinary citizen. Russians do not necessarily march on their stomachs, luckily for their leaders. But they need something credible for a creed, and Mr Gorbachov's version of centrally-planned "market socialism" is not credible.

"First stuff yourself, morality comes later," wrote the young Bertolt Brecht. Today's reformist communists claim to be realists, but they yield nothing in cynicism to Brecht, who was a public apologist and private critic of Stalin. The Gorbachovs of 1990 are democratic to the nth degree, as long as they alone can dictate the agenda. As soon as they right to do so is called into question, they slap down their critics. A new law awaits the rubber stamp of the Supreme Soviet, designed to punish with up to six years in jail those who insult the President — a crime which will differ only in name from the archaic offence of *lese-majesté*.

Given that defeat in the referendum is quite likely, what is the President's real motive in allowing it to be held? Is he trying to dish Mr Boris Yeltsin by outbidding his most dangerous rival in the democracy stakes? Or is it not more likely that Mr Gorbachov — still smarting from his public humiliation on May Day but as sure of his own destiny as ever — now hopes to strengthen himself by a direct appeal to the masses for a personal endorsement? Marx himself called this tactic Bonapartism; he had withering things to say about it. But who in Moscow reads Marx these days?

HALFWAY TO REDEMPTION

The dramatic policy implications of the Prime Minister's pledge to treat the environment as a tenant with a "full repairing lease" will be apparent when the Intergovernmental Panel on Climate Change publishes its report on global warming tomorrow. Without action to curb emissions of "greenhouse gases", the report concludes, global mean temperatures within 40 years will average between 1.4 and 2.8 per cent above pre-industrial levels.

The main lines of Britain's response to these findings have now been agreed by a Cabinet committee and are revealed today in *The Times*. The centrepiece of this autumn's White Paper on the environment will be a national strategy for controlling man-made emissions of carbon dioxide. The aim will be to freeze CO₂ emissions at 1990 levels by 2005.

Environmentalists are likely to criticize the Government for excessive modesty, drawing unfavourable comparisons with the Dutch Government's target of holding emissions to 1988 levels by 2000. Even so, compliance will imply reducing projected levels of CO₂ emissions by 20 per cent. Politicians have to consider not only whether that is technically feasible but what measures are cost-effective, and will be accepted by the public.

Ministers are convinced that Britain can meet the 2005 target without too much economic disruption. The policy is not just to rely on exhortation, as in the past, but to concentrate on energy conservation and on fiscal incentives and penalties to change consumption patterns. This approach, based on experience of the oil price rise of the 1970s, is sound. More dubious are the assumptions that a 1970s-style recession can at the same time be avoided, or that the target can be met, as Mrs Thatcher insists it must, without interfering with "the great car economy".

The main culprit today is not vehicle exhaust, but power stations, which are responsible for a third of Britain's CO₂ emissions. There is considerable potential here: replacing coal-fired generation by natural gas would cut emissions by 40 per cent, and co-generation of energy and heat or combined cycle power generation would produce further savings. The considerable cost would have to

be met largely by consumers. Unless the price of electricity rises to reflect its true "environmental" cost, there will be no incentive for builders and home-owners to use less. Scientists estimate that energy requirements for new homes could be halved, those of commercial buildings reduced by 75 per cent.

The Government appears resigned to facing the electorate with an unpopular programme of sharp energy price increases. The question is whether fiscal measures alone — building on the Chancellor's success in persuading motorists to switch to lead-free petrol — will curb the other main source of carbon dioxide pollution, the motor vehicle. Stricter regulations on vehicle maintenance and speed limits would produce only marginal savings. The cars of the future may well be powered by hydrogen, natural gas or electricity. People may be induced by tax changes to opt for alternatively-powered vehicles even if they produce lower performance.

Yet the impact of these savings would be negated if, as predicted by last year's transport White Paper, the number of British vehicles increases by anything from 83 to 142 per cent within 35 years. Even without any greenhouse effect, London has long needed the equivalent of the *Réseau Express Régional* (RER) rapid transit railway which serves the Paris region. Singaporean solutions such as alternate-day permits or rationing of vehicle licences are unworkable in Britain. Commuters will continue to pollute the air with traffic jams unless there are efficient, reasonably priced alternatives.

The Government is determined to make energy, not transport, bear the brunt of conservation strategy. If that strategy is to carry credibility, transport policy will have to be galvanized. However alien the idea is to Mrs Thatcher — her aversion to rail is well-documented — this means heavy public-sector investment in transport. Such a commitment would be electorally wise: consumers faced with energy-based cost-of-living increases would at least be assured that the Government was prepared to break ideological moulds itself.

PREFERENTIAL TREATMENT

A well-kept secret was let out of the mailbox yesterday by Sir Gordon Borrie, director general of fair trading. The secret is that an organization exists to save people from junk mail. It is called the Mailing Preference Service, has existed for seven years and is supported by the junk mail industry.

The MPS not only exists; it holds an annual luncheon. Yesterday it lunched Sir Gordon, and he ungratefully repaid its hospitality by more or less accusing it of refusing to blow its own trumpet. Sir Gordon hesitated to suggest out loud that an indiscriminate mail-shot was out of order. But he said, in O.T.-speak, that "an effective publicity campaign has to be properly resourced and targeted to reach its audience." May the MPS (Freepost 22, London W1E 7EZ) be overwhelmed by the public response.

The direct selling industry is currently enjoying a boom, expanding by about 10 per cent a year. This is immensely profitable, both to the Royal Mail and, presumably, to the direct sellers themselves. But junk mail is not so good for trees: a correspondent to this newspaper estimated that he received more than six pounds of such mail through the post than six months of his own business. We could apparently spend whole country. We could apparently spend eight months of our lives reading junk mail, if we did not do the expected thing, and junk it.

Asking the industry to publicize its anti-junk mail service is like asking butchers to promote vegetarianism. Let us, the industry must have

said to itself, set up some backstreet shell company so we can say we have done our bit. Let us keep as quiet as possible this list of those cantankerous members of society who refuse to be junk mailed. A valiant third of a million people have stumbled upon the MPS in one way or another. The industry has undertaken to remove their names from its postal selling data bases. It may be no coincidence that while Sir Gordon's office spent the afternoon gathering and then dispensing information about the MPS, the service itself had taken the phone off the hook.

Junk mail is all about lists. When anyone orders anything by post or answers an advertisement, his name goes on a list. Clubs sell their lists of members. There is a major trade in electoral registers. The art of junk mail is targeting, based for instance on the knowledge that clergymen prefer to order wine by post or that dentists drive Volvos. All these spurious correlations of a nation's spending habits are refinements to be fed into the industry's computers, to improve the efficiency of the bulk unsolicited mailing which is the industry's *raison d'être*.

Meanwhile America is hoist with its own ingenuity. The organizers of the national census are struggling to raise the rate of reply from the public much above the 50 per cent level. The reason appears to be that the average American has thrown his census form away, assuming it is yet more junk mail.

Observer's view of Romanian polls

From Mrs Edwina Currie, MP for Derbyshire South (Conservative)

Sir, How can you begin to call the Romanian people "gullible" (leading article, May 22) when they have just voted in a bloody revolution which required courage of the highest order? And how dare you imply that the attitudes of the British observers were "frivolous" and not "robust" when we agreed with the very large party from the USA and disagreed with a French socialist and some hangers-on from Sweden?

My colleague from the Labour Party officially representing the British Parliament was not Roy Hattersley — whom I did not see at any time during my visit, but who appears to have come to the same conclusions — but the well-respected Robert Wareing, MP for Liverpool, West Derby.

We reckon we know intimidation and ballot rigging when we see it, and that what we observed in Romania included nothing of the sort, but was in fact as free and fair an election as could be achieved by people for whom this was all completely new.

Your leader talks glibly about street violence and the "disillusioned sansculottes". We saw two such "demonstrations", in the main squares of Bucharest and Timisoara. In both cases the event was more of a daily political rally, the Romanians have discovered Hyde Park Corner. Despite a massive disruption of traffic in Bucharest (they have discovered traffic jams too, now petrol is no longer in short supply), the police and army have for weeks shown enormous restraint.

This was no Trafalgar Square poll tax demo, with baton-wielding police or tear gas. Instead there is pop music, popcorn from the burgeoning private stalls, and people talking politics long into the night.

The demonstrators are hardly "sansculottes" either. They tend

to be the intelligentsia from the university, whose debates have a strong flavour of the Sorbonne in 1968. This lot, however, are not for Marxism but in favour of more rapid privatisation — a matter of some debate in our own country and elsewhere.

The inhabitants of the squares are convinced of conspiracies everywhere. We saw no evidence of such conspiracy. Incompetence, yes: the election could have been better conducted and we would want to see much simpler procedures, more assistance at the polling stations, and more rapid counting next time. A more vigorous press and media on western lines is also essential. Inexperience was, however, offset by the determination of the voters and the helpers from all parties at the local level to make the thing work.

As for the landslide personal victory of President Iliescu, the fact is he had no effective opponents. One had been in France for 14 years and the other left his country for exile half a century ago. I wonder how we might have voted in 1945, had two of the three candidates for prime minister spent the war in comfort in Canada? Handicapped like that, the minor parties did as well as could be expected. I hope they can recover, perhaps with advice from equivalent parties in the West, and learn how to get out of Bucharest on to the doorsteps to fight elections properly next time.

Many of the observers were thrilled with what they saw. We felt we were present at the birth of a new democracy, more fragile than some of its neighbours, but with every hope for the future of this attractive country.

Yours sincerely,
EDWINA CURRIE,
House of Commons,
May 22.

Guatemala abduction

From Mr Robert Kee

Sir, On the evening of May 3 an event took place in the capital of Guatemala which suggests a further sinister omen for that beautiful country's precarious civilian Government under its Christian Democrat President, Vieslao Cerezo Arvalo. A young man, Luis Miguel Solis Pajaro, whose own Christian Democrat father and three brothers had "disappeared" in 1984 before the return to civilian rule, was abducted on the streets of Guatemala City and has not been heard of since.

What makes this "disappearance" particularly ominous — it is one of hundreds in recent years — is the fact that Pajaro is a member of Condeg, the National Council for the Displaced, and the first to suffer this fate. He was, in addition, Condeg's delegate to the National Dialogue set up by the Guatemalan Government itself in accordance with the Central American Peace Accord of 1987.

Amnesty International has issued an urgent appeal on his behalf but so far there has been no sign of him. Last week his wife who has filed an official writ of *habeas corpus* was summoned to a morgue to see if she could identify a murdered and tortured body that had been found. Fortunately this was not Pajaro.

It could soon be if representations are not made at once at all levels by those with a concern for human rights and for the good name of the people and Government of Guatemala.

Yours faithfully,
ROBERT KEE,
82 Chamberwell Grove, SE5,
May 20.

Housewives' choice

From Mr John F. Martin

Sir, Apparently students at Southampton have been instructed not to use certain words, one of which is "housewife". I must agree with this, especially since as an ex-Serviceman I have a distant memory of being issued with a housewife (pronounced huzzi), i.e., a pocket sewing kit when I was initially kitted out.

Might I suggest that we do as in the United States, where any married woman with no profession, trade, occupation or vocation is called a house-maker. Apart from being more descriptive of the duties performed, it has a much better sound about it.

Yours truly,
JOHN F. MARTIN,
57 Tyeburn Hill,
Loughborough, Leics.

Health exercise

From Mr Alasdair Liddell

Sir, Jill Sherman's report (May 17) of our simulation exercise on the new internal market in health care was inaccurate in two important respects, in her description of market "failure".

First, she omitted the fact that we deliberately set out to test the new arrangements to failure, so that we could learn how to make them successful in practice, to the benefit of our patients and populations. There is nothing new in testing to failure — Volvo's marketing strategy was for a time based on crashing its motor cars — and it can produce valuable learning, as indeed it did in our case.

Second, her report only gave half the story: the simulation did

suggest that the market "would fail", but only unless a clear framework of health and quality-outcome objectives to guide purchasing was negotiated and agreed between district health authorities, general practitioners and local authorities in a particular locality.

This is a powerful message which needs action now by those agencies to ensure that the potential for the health service reforms to deliver real health and quality benefits to patients is realised.

Yours sincerely,
ALASDAIR LIDDELL,
(Regional General Manager),
East Anglian Regional Health Authority,
Union Lane, Chesterton,
Cambridge,
May 18.

Police and the public

From Mr P. G. Forbes

Sir, From news incidents we now have the fashionable stereotype image of the police... discourteous, brutal, racist and corrupt. On the other hand, many offenders seem so innocent, so harmless after the incidents. The only thing that stands between civilisation and lawlessness is the police officer who encounters violent often hysterical offenders, possibly under the influence of drugs or drink and a threat to his or her personal safety.

Often the police are expected to make critical decisions within seconds, but later those with time to analyse are often ready to condemn the police while "the victim" receives a second chance.

Most people in our society are insulated from the misery which has become part of everyday life for our police. As a night club operator, I often see first hand the incredible stress that is part of the job of keeping the peace.

I have no preconceived idea about what makes a person decide to join the police, but may they continue to do so. It is a deeply regrettable fact that a small percentage are unworthy of the task, however let us all be grateful to the thousands of dedicated men and women police officers who struggle against almost impossible odds to preserve our society and who must now surely be fired of being reviled by the very people they protect.

Yours faithfully,
PHIL FORBES,
9 Brooklynn Close,
Widham Chase, Hampshire.

From the Chief Executive of Crime Concern

Sir, Your reports (May 21, 22) seem to imply that Crime Concern is accusing chief constables of ob-

Letters to the Editor should carry a daytime telephone number. They may be sent to a fax number — (071) 782 5046.

NHS facilities and ward closures

From the Chairman and the Honorary Secretary of the Intensive Care Society

Sir, Approximately 1 per cent of all acute hospital beds in the UK are designated for intensive care. However over the past two decades demand for intensive-care facilities has increased.

In other countries of Europe the proportion of intensive-care beds is up to 5 per cent and in the United States more than 10 per cent.

A ratio of one nurse to each patient is considered the minimum, but complex treatment may require more than two to one. The number of trained nurses is decreasing in many units whilst in others trained nurses cannot be employed because of the shortage of money. Critically-ill patients are being denied intensive treatment.

Project 2000, the new nursing scheme, will be fully operational by 1994 and the combined effect has been estimated to mean a shortfall of 16,000 people to nursing. Ordinary wards will no longer be fully staffed by qualified nurses and intensive-care beds will come under even greater pressure.

As far as we know, the Government has not acknowledged that intensive care is an essential national service, and the health service review is unlikely to help the situation since intensive care is very expensive. Whatever is planned for the non-urgent patients, the health service must continue to accept responsibility for emergency care and provide it regardless of financial constraints.

Yours etc.,
E. MAJOR,
(Chairman),
GUY ROUTH,
(Secretary),
Intensive Care Society,
9 Bedford Square, WCI,
May 23.

Church repairs

From the Reverend Giles Hunt

Sir, Six years ago we were very grateful for a Department of the Environment grant of 40 per cent of the cost of a part of our church repairs. By the time our present quinquennial repairs are done, some £100,000 will have been spent on this church over a 10-year period, of which over £13,000 will have been VAT. Even if we had again got a 40 per cent (maximum rate) Government grant, we would barely have recovered what we paid in tax; as it is, we will be well down.

Government grants are far costlier to administer than charitable grants (for which we are also very grateful). An English Heritage architect must visit the church at least twice, and approve any specification, thus duplicating the work already done by the church's own architect. Architects' time (plus VAT) does not come cheap.

Also, English Heritage officials must wade through up to 50 architects' quinquennial reports a week; their time, too, costs money. And there can be a cost to the local church, for no work can start without prior approval, and delay costs money.

Would it not be far better for English Heritage simply to grant a VAT exemption certificate to any church that they consider eligible on heritage grounds? They could of course insist that no work be done without a faculty or archdeacon's certificate, and stipulate that they approve the church's choice of architect.

Some churches of quite outstanding merit would surely need a grant, but let English Heritage concentrate on them and not, as at present, get involved in all the others.

Yours faithfully,
GILES HUNT,
St Catherine's Vicarage,
Preston Lane,
Faversham, Kent,
May 14.

Raising tax rate

From his Honour Judge Galpin

Sir, David Butler ("How deep the Labour allure?", May 17) speaks of the Labour proposal to raise the top rate of income tax from 40p to 50p in the £ as a 10 per cent hike in income tax for the rich.

It is no such thing. It is a 25 per cent hike, and you would not have to be all that rich to incur it.

Yours faithfully,
BRIAN GALPIN,
St Bruno House,
Charters Road,
Sunningdale, Berkshire,
May 17.

Structuring the growth of Neighbourhood Watch

In our report, "Neighbourhood Watch and the Police", we make no such allegation. The consultation we conducted with police officers from 40 forces revealed that a break on development had to be applied in some areas because of pressure on police resources. The whole point of the consultation was to find the most effective ways of managing Neighbourhood Watch without making unrealistic demands on the police.

The remarkable growth of Neighbourhood Watch since its inception in 1982 to 83,000 schemes now is a testament to the commitment of both the police and the public to creating safer communities.

Yours faithfully,
NIGEL WHISKIN,
Chief Executive,
Crime Concern,
David Murray John Building,
Brunel Centre,
Swindon, Wiltshire.

From Professor S. I. Cohen

Sir, The letter from Sir Nicholas Hunt, Chairman of the South West Surrey Health Authority (May 21) makes me very gloomy for the future of the National Health Service. It takes years to build up a centre of excellence; when it is disrupted the staff, especially the nurses, are demoralised, as described by Sister A. Sanchez Felix in the following letter, and they leave.

My own ward was disrupted for financial reasons three years ago, some of the best nurses left and we are only now recovering. In the interval the quality of the care we could offer, despite the best efforts of everyone, was significantly below our former standards.

Yours sincerely,
SAMUEL I. COHEN,
The London Hospital Medical College,
Department of Psychiatry,
3rd Floor, Alexandra Wing,
Turner Street, E1.

From Mr Maurice Godbold

Sir, Like Mr Baxter (May 15) I have been a patient of Mr Nottley's (May 21) makes me very gloomy for the future of the National Health Service. It takes years to build up a centre of excellence; when it is disrupted the staff, especially the nurses, are demoralised, as described by Sister A. Sanchez Felix in the following letter, and they leave.

Yesterday's (May 14) article by Mr Taylor indicated that the unit may be a victim of the direction of increased NHS resources to the North rather than the South. But to lay all the blame on the Government and its priorities presupposes fully effective local management — essential if problems are to be solved by throwing money at them as suggested by Mr Baxter.

Yours faithfully,
MAURICE GODBOLD,
Maytree Cottage,
High Pinfold,
Hindhead, Surrey.

Quarrying at Stowe

From Mr E. V. Reynolds and others

Sir, The first Headmaster of Stowe, Mr F. Roxburgh, stated that "any boy educated at Stowe would recognise beauty for the rest of his life". As Roxburgh's successors we have done our utmost to preserve Stowe for future generations and are proud that our efforts have culminated in the gift, aided by a most generous benefactor, of the gardens to the National Trust last year.

Attempts to quarry sand and gravel at Chackmore in 1964 and 1972 were rejected; it is ironic that hardly is the ink dry on the agreement with the National Trust (involving substantial public grants from the National Heritage Memorial Fund and English Heritage) than an application is made to quarry gravel within a few hundred yards of these historic grounds (report, early editions, May 12, letters, May 13).

One of the glories of the landscape is the chain of lakes across the south front, which depend on the stability of the water table. These lakes are now threatened. The peace of our neighbours in Chackmore, Akeley, and Buckingham is also threatened. We hope that this newest application for a quarry will be rejected firmly once and for all.

Yours faithfully,
E. V. REYNOLDS (1949-58),
D. CRUICKSHANK-MILLER (1958-63),
R. O. DRAVSON (1964-79),
CHRISTOPHER TURNER (1979-89),
Stowe School, Buckingham,
May 22.

Living language

From Mr A. M. Mackintosh

Sir, Dr Martin (May 22) is being pedantic in criticising the GCSE English paper instructions. Hemingway's title, "For whom the bell tolls", is a quotation from John Donne. Does Dr Martin insist that his students use 16th-century English? I know it is not quite dead yet, but the bell has been tolling a long time for "whom".

Yours faithfully,
A. M. MACKINTOSH,
St Albans Farm,
West Woodlands,
Frome, Somerset.

From Mr C. E. de Salis

Sir, Hemingway might indeed have called his novel *Who the hell is tolling for?* if he had been reading Macbeth, act IV, scene 3: "... The dead man's knell is there scarce ask'd for who ... Such are the mysteries of English usage!"

Yours,
C. E. de SALIS,
Tower House,
West Street,
Rye, East Sussex,
May 22.

From Mr David Terry

Sir, I was intrigued to read (report, May 21) that Dolly Pentreath, who died in 1777, was the last Cornish speaker and that she refused to speak English. Who did she speak to?

Yours faithfully,
DAVID TERRY,
28 Hill Grove Crescent,
Kidderminster, Worcestershire.

From Mr J. P. Moir

Sir, When she died in 1777, Dolly Pentreath may well have been the last Cornish speaker, but the language did not become extinct until 1782. Dolly Pentreath predeceased her parrot by five years.

Yours faithfully,
J. P. MOIR,
St George's House,
27 High Street,
Sandwich, Kent,
May 22.

good. Religion must play a key church shall be judged by our Church to voice its support.

HEALTH

When using one's loaf can help the problem drinker

Millers will rejoice at recent reports suggesting that British drinkers, who eat more bread than Australians, are in consequence less likely to suffer brain impairment. Dr Jean Lennane, an Australian doctor interested in alcohol-related medical problems, bases this claim on the damage which can be done to the intellect by deficiency of thiamine, Vitamin B1. Bread, particularly wholemeal, is a rich source of thiamine. Heavy drinkers, bread eaters or not, suffer from thiamine deficiency for several complex reasons: absorption of the vitamin through the small intestine is reduced even if their diet is vitamin-rich. The cause of this is unknown, although overactive guts are one factor. Even after thiamine has been absorbed into the system, an alcohol-damaged liver is unable to utilize it efficiently.

Dr Lennane claims that she has found signs of intellectual impairment in hard-drinking politicians and company directors more often than in other professions. The symptoms, known as Wernicke's encephalopathy or, if they are irreversible, Korsakoff's psychosis, are well charted because they stem from damage to a very small, circumscribed portion of the brain. The patients suffer absolute loss of recent memory, a deficiency which they compensate for by filling the memory gap with imagined experiences; fortunately for them it is also associated with a mild euphoria.

Dr Lennane describes the forgetful businessman who loses his ability to plan ahead, who becomes confused and inflexible, with a reluctance to acquire new skills, as having the signs of thiamine deficiency. Many doctors would feel that they were suffering from a generalized loss of brain structure due to overall malnutrition or multiple

small strokes. Brain scans show that these people have widespread brain shrinkage, with the frontal cortex being particularly badly affected. As Dr Lennane expresses it: "The company director is only able to survive because men have secretaries to act as their frontal lobes."

Heavy drinkers may suffer from a wide variety of other Vitamin B group deficiencies as well as lack of thiamine. They are often short of Vitamin B6, pyridoxine, the vitamin famed for its use in the treatment of pre-menstrual tension, and nicotinic acid. Intake of vitamins A, C and D is adversely affected by high alcohol intake: 44 per cent of alcoholics are short of Vitamin A, 36 per cent of Vitamin C, and Vitamin D levels are almost always universally low. Intestinal malabsorption and pancreatic disease exacerbate any dietary deficiency but the most important cause is that, since alcohol is energy rich, it is often used to replace more nutritious foods - particularly if the general lifestyle becomes confused.

Brain damage to heavy drinkers occurs for reasons other than malnutrition. After heavy drinking on an empty stomach, the blood-sugar level may fall to a point where the brain is poorly nourished and damage occurs. If this is repeated too often the damage may become permanent, hence the importance of taking food with alcohol.

The good news is that, with treatment, cerebral function usually improves, and even the changes revealed by scans are partly reversible. All drinkers are well advised to supplement three good meals a day, taken to avoid low blood sugars, with additional vitamins. But they should be careful to avoid excessive iron intake, which might further damage an already

MEDICAL BRIEFING

DR THOMAS STUTTFORD



compromised liver. Given these precautions, it would seem unnecessary to add thiamine to the beer, as has been proposed in Australia.

Babies cursed by a lack of love

The life of the average British toddler contrasts sharply with that of the 14,000 Romanian children under the age of six who are now being brought up in orphanages. The orphans, 25 to a ward, about 150 to a unit, are fed for 5p a day. Inevitably, life in the orphanages is Dickensian. The untrained staff are too busy to pick the toddlers up and too starved of cash

to keep them free of scabies and rickets. The children never escape from solitary confinement behind cot bars. Feeding time is unemotional and basic, beer bottles are filled with a blended vegetable mush, then a bottle dropped into each cot.

The children, reared without human contact, neither laugh nor cry - they have long since found that their tears will never be answered. They have not learnt to talk, and address all people regardless of sex as "Mama". When western health teams put the children together they stare blankly but warily around them, for unlike normal babies they have no interest in each other, do not touch or prod their cot-mates, let alone play together.

British experts are pessimistic about

the long-term outlook for children who are emotionally and physically deprived in their early years. In the experience of Dr Barry Lewis, a consultant paediatrician, previously deprived children who are later well cared for may lose their distinctive withdrawn, suspicious expression but will never learn either to accept or give love as spontaneously as other people, and as they grow older may well develop aggressive characteristics. Physically the prescription of tender loving care produces an immediate growth spurt, but it is Dr Lewis's impression that, once stunted, a deprived child never fully catches up either physically or mentally.

● The Romanian Orphanage Trust funds a medical team and supports orphanages. Contributions to any branch of Lloyds Bank or the Bank of Scotland.

A new view on sore throats

George London, the Wagnerian singer, said that a performer's voice was his capital. "When I sing properly I only use the interest on my voice and keep the capital intact, when I force my voice I am spending the capital." The last election campaign provided a good contrast between the opposing speaking styles of Mrs Margaret Thatcher and Mr Neil Kinnock. Mrs Thatcher, it is rumoured, spent one and a half hours getting the right intonation into her voice for a particularly important phrase. On the other hand, Mr Kinnock squandered his capital as he toured the country and became vocally bankrupt before polling day so that he was forced to attend the voice clinic at the Middlesex Hospital.

This clinic is one of nine run by the National Health Service. In London last week the first private voice clinic was opened at the Harley Street Clinic. It will, like its Health Service counterparts, provide a comprehensive diagnostic and treatment service. Modern equipment allows the larynx to be examined without an anaesthetic, and the patients as well as the doctors are able to view the laryngeal chords on a coloured television screen.

Direct laryngoscopy allows a patient's symptoms - whether loss of range, hoarseness, problems with voice control, throat pain or discomfort, or even excessive voice tiredness - to be immediately diagnosed. Any patient whose hoarseness persists for more than three weeks despite treatment always needs urgent investigation to exclude the possibility of serious disease. But if the troubles stem only from misuse of the voice, or from faulty breathing, speech therapy can be instituted. Ear, nose and throat surgeons emphasize that aspirin by mouth, should not be used to treat laryngitis. Aspirin encourages bleeding into the vocal chords.

Medical students are taught to remember that chronic laryngitis traditionally attacks the boxer, the barrow-boy and the barman. The boxer because his nose has been flattened and his nasal passages and sinuses blocked; the barrow-boy because he is always shouting; the barman because his vocal chords are subjected to tobacco smoke and bathed in the fumes of alcoholic drinks. A politician's life can, and often does, combine the risk of both the barrow-boy and barman but now any aspiring Prime Ministers can watch their vocal chords in action and thereby learn to speak without torturing them.

BREATHING SPACE: Lawrie Smith

I DON'T normally dream, but I dreamed a lot during the Whitbread Round the World race because as skipper I was never fully unconscious. We had four-hour watches on Rothmans, and by the time you had got all your gear off, eaten, taken an hour to get to sleep, and been woken up 15 minutes before your next watch was due, you'd be lucky to have had two hours.

By the time you have been out there a week it gets so you can't feel your toes and people with rheumatism start to suffer. There's nothing you can do, you just put up with it.

We had lots of stuff on board to protect our skin from the weather, that's essential. All the boats were given free face cream, shampoos and stuff for the lips. You had to layer that on and wear sunglasses and a hat otherwise the heat, particularly in the southern ocean, would make you keel over. When it gets cold again, you wear man-made fibre clothes, not cotton, because that absorbs water and doesn't dry. Still, you are permanently damp and there



was only a cold salt water shower so you stayed away from that. So long as you all smell it doesn't matter.

The most important thing was we didn't take any booze, so it was an ideal opportunity for everyone to get off the drink and give their livers a rest. Eleven out of the 16 smoked, though. We managed to get through at least a packet each a day.

The food wasn't great, it was all freeze-dried because of the weight. It's like packet soup, you just add boiling water.

We had those special drinks which were full of carbohydrates for energy, and minerals, but I didn't miss anything in particular. I have no favourite food, although occasionally I felt like a beer.

For four or five months before the race we spent five days a week running four miles in the morning, then we went to a police gym to climb ropes and do circuit training or to a Nautilus centre to pump iron, and we would end up on the playing field with a football. I never do any exercise normally, I have to have a reason because I'm lazy and you have to be fairly disciplined, that's all. The biggest problem on the boat was three or four weeks doing nothing. Some of the crew did press-ups or sit-ups, but I didn't do much.

I don't do anything special to relax. I suppose I am pretty healthy, although I'm a bit tired. I've never had anything seriously wrong with me. I had a broken nose once because someone hit me - I never got the chance to ask why.

Interview by HEATHER KIRBY

A wonder-drug for women?

Will long-term tests on tamoxifen back up claims that it could prevent breast cancer? Ann Kent reports

Thousands of women will be given the chance of avoiding the three curses of ageing - breast cancer, heart disease and osteoporosis, the bone-thinning disease. They will be invited to participate in a controversial trial, taking a potent anti-cancer drug every day for at least five years.

The women will also be offered a powerful carrot in the form of regular and thorough medicals, which will include tests of blood fats and bone density and screening for breast and ovarian cancers.

Four hundred British women considered at high risk of developing breast cancer have already taken part in a pilot study to ensure that the drug, tamoxifen, has no untoward side-effects when taken by healthy women. They will be joined by 5,000 other high-risk women over the next year or so, after the project has been approved by the United Kingdom Co-ordinating Committee for Cancer Research.

Because the pilot study, run from London's Royal Marsden Hospital, shows that the anti-cancer drug lowers blood cholesterol, there are plans to extend the trial to a further 25,000 women who have a low risk of breast cancer. It will aim to establish if tamoxifen provides protection against heart disease as well as breast cancer. If, as also seems to be the case, the drug prevents the thinning of the bones that begins soon after menopause, then participants may have the bonus of avoiding osteoporosis.

The potential benefits of this trial are high. The lifetime risks of getting breast cancer are one in 12, of coronary heart disease one in four, and of osteoporosis at least one in four.

There is no solid evidence that tamoxifen will reduce these risks. The trial is based on a scientific hypothesis and strong evidence that tamoxifen leads to a 20 per cent reduction in mortality by



Human guinea-pig: Iris Wright is taking part in the long-term tamoxifen testing

preventing new tumours in women who have already been treated with the drug for breast cancer. Those involved in the trial hope that, taken over a longer period, tamoxifen may reduce the incidence of breast cancer by a third to a half.

Tamoxifen mimics the action of the natural female hormone, oestrogen, in some parts of the body, while blocking it in others. By acting as a weak oestrogen substitute, it is said to reduce blood cholesterol and strengthen bone. However, oestrogen is also known to promote the growth of breast tumours; by blocking oestrogenic activity in the breast tissues, tamoxifen is thought to prevent the growth of cancers.

Tamoxifen was originally intended as a contraceptive

pill, but its developers, ICI, found that while preventing ovulation in rats, it appeared to encourage it in women. Because of this, and because tamoxifen's effects in pregnancy have not been tested, only women who are not at risk of pregnancy are selected for the trial.

Tamoxifen was launched in 1973 as a breast cancer drug, Nolvadex, but is now out of patent and generic versions are made by at least 22 other companies. Researchers have long suspected that the drug may be as useful in the prevention of breast cancer as in its treatment. However, when Dr Jack Cuzick, the head of the mathematics, statistics and epidemiology department of the Imperial Cancer Research Fund (ICRF), first proposed this in

1986, the suggestion caused uproar.

The hostile response has been variously ascribed to irritation that a "numbers man" should dabble in a clinical issue, doubts over the ethics of giving a potent drug to healthy women, and anger that Dr Cuzick had jumped the gun by publicizing an idea that a number of other doctors had on the drawing board.

However, Dr Trevor Powles, of the Royal Marsden, decided to go ahead with a pilot study "quietly and without publicity", recruiting healthy patients, aged 36 to 65, with a strong family history of breast cancer.

The study was temporarily halted in 1987 when experiments with rats suggested an increased risk of liver cancer. There is no evidence that

humans are affected the same way. According to Dr Powles, vast numbers of women have now been treated with tamoxifen worldwide with no signs of primary liver tumours.

Some of his patients have been using tamoxifen for three years, and Dr Powles hopes to have recruited 1,000 women on to the trial by the end of 1992. Half of them, unknown to themselves and their doctors, will be taking dummy tablets.

Iris Wright, a 49-year-old office temp from Crowborough, Sussex, joined the tamoxifen trial last November. Mrs Wright's paternal aunt, maternal grandmother and two maternal aunts have had breast cancer. In the past five years, one of her sisters has died of the disease, while another is under treatment after the discovery of pre-malignant changes in the breast.

"In a sense it was an odd thing for me to do, because I had always refused to take the birth pill, and I seldom even take an aspirin," she says. "I was worried at first about taking an anti-cancer pill, but now I don't think about it, or cancer, much at all. Getting these regular check-ups is a tremendous bonus as far as I am concerned."

Since starting the tamoxifen there have been no side-effects that she can ascribe to the drug.

Early results of Dr Powles's trial have revealed no major side-effects, although hot flushes, a common symptom of women in the age group, were more common. Where these were troublesome, hormone replacement therapy (HRT) was provided. However, some women found the drug reduced their pre-menstrual tension and headaches.

It is likely to be about seven years after the national trial has begun before results are analysed.

Richard Peto, head of the ICRF Cancer Studies Unit at Oxford, stresses that the potential of tamoxifen should be kept in perspective. "We do have to be careful, because there have been so many things in cancer research which looked as if they would be wonderful, and then turned out not to be quite so wonderful after all. My own hope is that it will reduce heart disease even more than breast cancer. Heart disease kills five times as many women."

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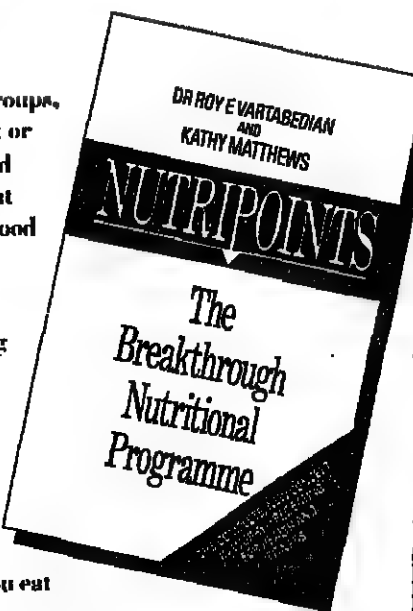
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GRAFTON BOOKS



NEW TACTICS TO BEAT KILLERS

The tamoxifen trial heralds an entirely new philosophy, in which cancer is tackled not by prevention or cure, but by interrupting the cancer process. It is an approach that is likely to be extended to other diseases, particularly mental illness, heart disease and arthritis, says Sir Walter Bodmer, president of the Human Genome Organization, the international body co-ordinating research into drawing up the human gene map.

Breast cancer researchers in Britain are pooling their data on inherited breast cancer to speed up the race to discover the breast cancer gene. Sir Walter believes it is likely to be identified within a few years. The inherited form of the disease represents about 5 per cent of cases, but finding this gene could lead to discoveries about who is susceptible to the more common forms of the disease.

Similarly, with heart disease

he believes that it may soon be possible to identify high-risk individuals whose cholesterol levels are dangerously high, and ensure that they follow special diets.

Aspirin is already known to be effective in preventing a second heart attack. However, taking daily aspirin to prevent heart disease may carry a higher risk of suffering a stroke, and so it is not generally advised. Finding the heart disease gene would identify those men who would benefit from aspirin or other preventive drugs.

Some researchers believe that a deficiency of beta carotene may lead to the development of certain cancers. However, the deficiency is likely to occur because of faults in the way this particular nutrient is broken down in the body. Again, if the susceptible groups could be identified, then special dietary advice or food supplements could be offered.

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FICTION

Over-top game of unhappy families

WE MEET them first in a sepia photograph taken in the early 1930s — Florence doing her cross-stitch, sitting between her daughter Kitty and her granddaughter Joanna. They are exiled from their privileged paradise, the big house in Jersey with its magical garden full of wisteria and cineraria, all lost through dead grandfather's gambling debts. Now they live in genteel poverty in Hendon, an outer London suburb, tormented by memories of Eden.

But that's not the half of it. They are an unholy trinity, fervent in their Catholicism, feverishly devoted in their peculiar passions, and linked by bloody unbreakable cords. Kitty is tiny, exquisite, capricious, frigid, with white skin and lethal emerald green eyes. Her Antarctic eyes can kill puppies, abort babies (other than her own), and foresee deaths at sea or in war. Her father had taught her that beauty and breeding are the only things that matter, and she destroys the decent men who fall in love with her.

Furthermore, Kitty loathes her daughter Joanna, who is outrageously red-haired, big-footed, clumsy, too tall, and totally unwanted. Granny, who loves them both, calls Kitty "headstrong"; in fact she is an insane child-abuser. Joanna, who tells the tale first, is hospitalized with cracked ribs, a fractured skull, a detached retina. She is attacked in the suburban villa with Kitty's fists, a broken gramophone record, a kitchen knife. For her own safety, she spends much of her time in grim convent schools, where she discovers the "ecstatic euphoria" of falling in love (with other girls, and later with anyone who will devote himself to her), and mentally rewrites the Catholic doctrines to explain her own family.

Granny, Our Lady of the Sorrows, covers up for monstrous Kitty, comforts Joanna, does her crocheting, and mourns her lost grandeur. In Jersey, where Granny

Victoria Glendinning reviews a steamy story of three female generations, Catholicism, and mad child abuse

was uncrowned queen of the island, she had "eight smartly dressed, doting members of indoor staff". Now she has unsatisfactory skivvies who leave as soon as they rumble Kitty, and has to shop in places where the assistants do not even know her.

Granny and Kitty also tell their stories and put their point of view. Their monologues go some way

towards explaining why Kitty hates her daughter — revealing the loss of her first love in the Great War, her sexual traumas, and the special significance for this family of green eyes, red hair, body size, plus a whole intricate web of genetic traits and strange recurrences. But Kitty remains obscure. Is she, as her mother believes, just a beautiful flower transplanted into inhospitable soil? Or a psychological casualty of war and social change? Or is she the devil?

The novel is a rich mixture of horror, luxurious descriptions of gardens, bodies and clothes, sociological detail, and the supernatural. Kitty ends up raving in an asylum, and Joanna, after an emotional trajectory different but hardly less lurid than her mother's — "Sex became my family, my country" — contracts cancer, from which Joanna also dies. No happy

endings here, although it is suggested, not convincingly, that Joanna loves her own children.

It's hard to know how significant it is that Kitty, the mad child-abuser, attributes her problems to boredom. "Boredom is a disease. It is one of the most dangerous conditions in the world. Those who have never suffered from it cannot understand its gravity." The novel is not boring. It is written with unflagging verve and fluency. But it doesn't add up.

There is a price to pay for all the hysteria and wisteria. The over-egging of the writing things rather than thickens the plot. There is a careless sloppiness. The author seems to think that camellias bloom in this country in June, that Napoleon III was Bonaparte's son, and that Dickens's novels were appearing in instalments in 1889. I do not believe that aristocratic Granny, born in 1869, would use the word "skivvies", and one sentence, about Granny shielding her daughter from the consequences of her violence, surely means the opposite of what was intended: "I know one cannot buy sanity, but one can buy the privacy that keeps its presence hidden from the law."

The proliferating pile-ups of imagery are not always well found: "Shame shaves away one's friends like unwanted hair" suggests that the friends were considered superfluous, which wasn't so. Joanna describes her best friend at school as having "carmine lips" which "curved into a natural kiss and left a dimple with gossamer down that could catch shadows and play with them like a pale kaleidoscope." She describes her own hair as "red with the redness of cherry brandy and the added, darker but still natural sheen of conkers burst from their spiked cases," which sounds like advertising copy for a henna rinse. The whole thing goes over the top. In war, and in writing, that's a gallant if hairily dangerous way to go.

Papists, prods, tartan terrors

John Nicholson

THE MAGIC FLUTE
By Alan Spence
Canongate, £12.95
ABLE BAKER CHARLIE DOG
By Stephanie Vaughan
Heinemann, £13.95
LEE'S GHOST



By Petronella Pulsford
Constable, £11.95

by a crude terrorist bobby trap in Belfast, a squaddie undone by a couple of colleens and two pints too many.

George's brother Malcolm becomes a leading student activist,

and later attracts Special Branch attention, thanks to his Irish connections. The flip-side of sex, drugs, and rock 'n' roll was paranoia, and Alan Spence writes like a man who was there. Supporting characters in *The Magic Flute* — Tam's pedantic American wife Ruby, Patsy the Dealer, and Bird the Sex Man — narrowly avoid being stereotypes, and the book's structure is only just robust enough to prevent any of the strands breaking away. But the whole reflects the times to perfection. This is a formidable first novel from one of Scotland's most accomplished literary talents.

Stephanie Vaughan is another writer of extraordinary talent. Able Baker Charlie Dog is a collection of short stories, linked by a narrator, Gemma Jackson, a young American woman whose background has left her rootless and footloose. Gemma's father was a professional soldier, a logistics officer in strategic outposts for America's Early Warning System. His work was secret, never discussed. But he was a reading man, who spoke to his daughter about the rotation of crops or the Deforestation of Prague, where other fathers might talk about the Yankees. As his oldest child, she learnt how to gut a dove the European way, plant tomatoes, load a shotgun, as well as how to play Parcheesi, checkers, and cribbage.

Like most American short story writers of her generation, Miss Vaughan shows the influence of Raymond Carver. Her stories are simple — fragments of childhood recollection mixed with raw slices of suburban life — their tone downbeat, slightly off-centre. Car crashes (trivial), cancer (serious though not necessarily fatal), a family dog that refuses to be given away, a man torn between two wives, a harassed mother who finds solace rolling in the snow. Not poney tales of arms and the man, but vivid dispatches from the front where the real fighting takes place.

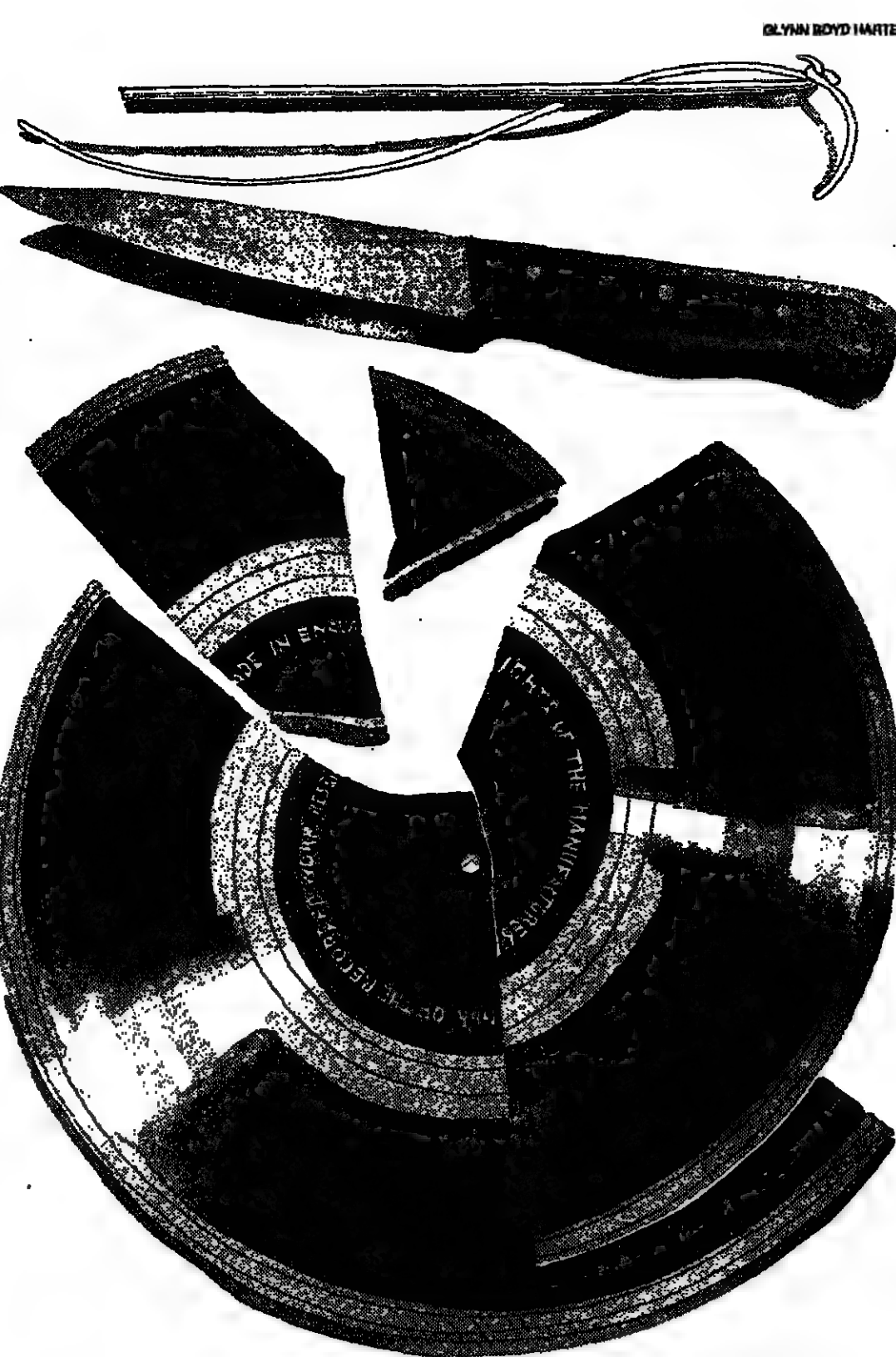
Reality is more elusive for the tormented heroine of *Lee's Ghost*. She lives with her cat Hosanna in a house by the sea, haunted by memories of her sailor lover. The memories she could live with, but Lee develops a conviction that Gabriel has returned. She keeps seeing him around the house, fixing curtains, sitting at her typewriter, stark naked. She can see him, but her friends don't. They are a bohemian crowd, addicted to affection and astrology, sexually ambivalent, but tolerant of Lee's little idiosyncrasies.

The plot thickens, and Lee

AUTHORS

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OLYAN BOYD MARTE

Dr Jekyll, I presume

HISTORICALS

Philippa Toomey

MARY REILLY
By Valerie Martin
Doubleday, £12.95

NO ONE notices the scars on the hands and neck on the under-housemaid. Why should they? In a household of six servants she ranks very low, happy to work in a congenial household. Her employer is a rich bachelor doctor. He notices the scars, and asks her to write what he knows she cannot bring herself to speak about. She has been cruelly abused as a child by her drunken father. Her kind master asks whether her father was two men, one sober and another drunk. Looking back, she agrees with him. Here we discover that the kindly doctor is Dr Jekyll, the well-known physician.

There is a fascination in well-known stories retold by a minor character — for example, *Rosencrantz and Guildenstern's* view of *Hamlet* by Tom Stoppard, and Dr Rochester's mad wife portrayed by Jean Rhys in *Wide Sargasso Sea*. Mary Reilly, the under-housemaid, instinctively hates and fears Edward Hyde, the new assistant to Dr Jekyll. This is an ingenious story, hung on the peg of a weeping housemaid mentioned in Robert Louis Stevenson's classic novel. It gives a vivid impression of the well-to-do London of Dr Jekyll, and the stinking slums of Shoreditch.

● *Meridon*, by Philippa Gregory (*Viking*, £13.99). This is the third in a series following *Wideacre* and *The Favourite Child*, in which Sarah Lacey, given to the gypsies as a child by her frantic mother, is now called Meridon, and meets Dandy, the girl she calls sister, to rise in a circus, and learn to fly the high wire. Even in the 18th century there are fatal consequences when sex raises its ugly head, and Meridon flees, finding by chance the estate to which she is heir. The book is melodramatic without humour.

● *Theo and Matilda*, by Rachel Billington (*Macmillan*, £13.95). Theo and Matilda pursue each other down the arches of the years, sometimes as a monk and great lady (around 770), and again in 1540. In 1880 they are married with a large family, and a large income dissipated by Theo's extravagance. In 1980 they are in a psychiatric ward. A black humour enlivens this novel of reincarnation.

● *Leading Lady*, by Jane Aitken Hodge (*Hodder & Stoughton*, £11.95). Sequel to *First Night* Lissaberg, a small mountain principality, lacks its prince, and the democratic American Princess Martha finds her subjects rebellious and threatening. Love, war and opera are the themes. It ends happily to extracts from Beethoven's new opera, *Regulus*.

● *Anna*, by Cynthia Harrod-Eagles (*Sidgwick & Jackson*, £13.95). Sacked by an odious English family, governess Anna Peters finds herself in danger in Paris of 1803, but is rescued and whisked off to Russia by Count Nicolai Kirov. The first in what promises to be a lively series.

Get thee to a nunnery

FIRST NOVEL

Philip Howard

THE FADING SHRINE
By May McCrory
Cape, £12.95

THIS FIRST novel, by a writer of sharp short stories around sisterhood, is in the fashionable modern mode, popularized by Peter Ackroyd, of past pastiche interacting eerily with the present. In this case the main characters are nuns of the calamitous 10th century in the north of England, and a contemporary teaching nun at a convent school in somewhere that feels like Liverpool. The connection between them is a secret painting hidden beneath centuries of varnish on the altarpiece of the modern convent. When the panel is cleaned, behind the picture of the order, pointing at his breast where the spear went in, there gradually emerges what looks like a picture of a monk, a nun, a child, and a small tower. What can they mean?

Not a lot for our comfort, is the answer, as we plunge backwards into the horrors of life, particularly for women, more than 10 centuries ago: perpetual cold, hunger,

male chauvinism even from monks, pregnancy, flagellation with the "discipliner", no arts; few letters outside monasteries; and, which is worst of all, continual fear and danger of death, if you are unlucky, by immurement. This is outside my field, but I was thoroughly persuaded by the technology of Dark Age painting and of heraldic symbolism. It is not a book for the squeamish. The Mother Superior heroine sacrifices her virginity brutally to punish her spiritual pride in her unblemished body; the schoolgirl pupil of the modern nun (who was thwarted of her vocation as a

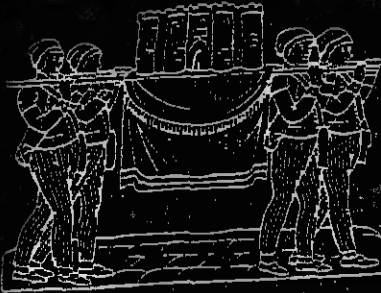
historian) is battered by her good Papist father.

Just occasionally, when Sister Scolastica gets up to her potions, it feels a bit like *Carry on Up the Comet*, without the terrible jokes. It is ambitious in its techniques, for example trying to reproduce in language the delirium of sickness or of religious ecstasy. The book has been selected for the top twenty for the feminist book fortnight. Quite right too. Apart from that, it has interesting things to say about the wars of the sexes, the difficulties of love, the importance of teaching, and the hard lives and times of women. One moral seems to be: try to avoid being born female; but if you fall in this, whatever you do, don't opt out of life by taking the veil. This is all wrapped around a mystery from the deep past, which the reader is partly left to solve for herself or himself. A feminist *The Name of the Rose* this ain't quite; but an exciting first effort.

THE PAPERBACK OF THE CENTURY

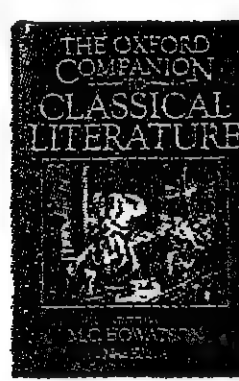
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LITERATURE

How Greene was my staging?

The stage version of Graham Greene's novel *The Power and the Glory* is being revived at Chichester. Denis Cannan, who made the adaptation, recalls his long correspondence with the author

The date was December, 1953. "Do write to me at the Majestic Hotel, Saigon, and say in general how you feel about the suggestions," wrote Graham Greene. He must then have been preparing *The Quiet American*, but he found time to comment in minute detail on the umpteenth draft of the stage version of his novel *The Power and the Glory*, on which we had already worked for over two years. Our meetings were sporadic, because he was always off to somewhere mysterious or just back from somewhere in the news (I look forward to learning from the second volume of Norman Sherry's biography what he was up to in those absences).

Greene had none of the condescension that some novelists show towards the theatre. He had already written the screenplays of *Brighton Rock*, *The Fallen Idol* and *The Third Man*, and his own first play *The Living Room* had been produced. His letters to me reveal that he had an old pro's sense of what would and would not work with an audience.

"The priest has drunk wine and I wonder whether Maria should give him an onion or something to remove the smell of the wine and whether the Lieutenant should smell the mouths of the peasants, but that's probably impossible to do on the stage without laughter. I won't press that point... If the consecration has taken place the priest would have to eat all the bread quickly himself, which would hardly be other than grotesque on the stage."

But he was firm when he felt subtleties had been lost:

"You may have been puzzled by some of my small changes in the dialogue in the scenes I gave back

to you. In several cases I went back to the dialogue of the book because I felt that in order to make the meaning clear to the audience you had sometimes lost the dramatic mystical flash. A religious idea is often a paradoxical one and I don't feel that one wants to smooth out the paradox too much. I remember an awful Jesuit once giving a long sermon in Farm Street to explain away the statement about there being more rejoicing in heaven over one sinner being penitent than over 99 just men. By the time the priest had finished he had reduced the paradox to a very reasonable statement by the headmaster of a public school. I don't, of course, mean that in any place you went as far as this!"

Reading his letters now I marvel at his patience. I feel I ought to have done more homework to make up for the defects of the confirmation classes that had been my only religious instruction. To quote a few of his 24 notes on an early draft:

"The priest's sentence beginning 'To think there are people' This seems to me awfully parsonical and Anglican..."

"Same scene, page 20. No Catholic priest would (a) quote the Bible in the Protestant version, (b) quote it at all, probably, in English, and I doubt he would have quoted this passage in any case..."

"Same scene. I think you are a little muddled from the theological point of view about the married priests. They don't cease to be priests because they marry. They simply cease to have the faculties for acting as priests... I don't like the priest's claim, even in its qualified form, to love his enemies."

"Page 21, last speech: I notice that I have marked this with a cross, but at the moment I can't remember what my objection is! You might look at it."

The four pages end, as always, with perfect courtesy. "I hope you won't mind my picking all these small holes, and I very much look forward to seeing you and talking again." The time came when I was asked only to "Look charitably through mainly tiny cuts that I propose in the script." In 1956 we went into production, with Peter Brook directing.

In those days every play had to be sent to The Lord Chamberlain for censoring. He had his office in St James's Palace, and if one wanted to contest his decisions one had to pass between armed sentries to be patronized by exquisite guards who paid for their incomparable tailoring by skimming plays for improprieties. Back came the verdict: we were not allowed to show the celebration of the Mass, on the stage on the grounds that this would be offensive to Roman Catholics.

Greene went straight to the Jesuits. A compromise was reached: we could show the Mass on stage if it was supervised at rehearsals by someone approved by the Cardinal. Father Caraman of Farm Street was chosen. As he had prepared Edith Sitwell for reception into the Catholic church he was quite used to a theatrical atmosphere. He rehearsed Paul Scofield to the last crook of a finger.

We opened in Brighton. After the first performance, a shaggy person rather the worse for liquor barged through the stage door shouting "Wrong! They've got it wrong!" Indeed we had. A small fault in detail had escaped even



Graham Greene: his notes to Denis Cannan revealed that he had "an old pro's sense of what would work with an audience"

Father Caraman. It was spotted from the audience by Gilbert Harding. When I tell this story now, no one knows who Gilbert Harding was.

The Power and the Glory was published 50 years ago. It looks as

though that whisky priest will outlast the lot of us.

Denis Cannan's adaptation of *The Power and the Glory* is now playing at the Chichester Festival Theatre (0243 784437).

CRITICS' CHOICE: LITERATURE

THREE NEW VOICES: Alan Dunnett recently directed *Gas Light* at the Nottinghamshire Theatre Royal and has published his first collection *In the Savage Gap*. New Zealander John Gallas works with the Leicester Deaflected People Programme and Liz Smith is a member of the editorial board of *Other Poetry*. All three reading from their own work.

HAY-ON-WYE LITERATURE FESTIVAL: Leslie Norris, David Gascoyne and Nina Cassian: A reading and seminar by two of Britain's more senior poets, and the brilliant dissident Romanian, Cassian (Sun, Parish Hall, midday). Nigel Jenkins, Glyn Maxwell and Jeremy Reed: Reed is a talented and up-and-coming star of the British poetry establishment who presents himself very much as an archetypal 19th-century romantic literary figure, which can become overbearing. Difficult to like and hard to ignore. In interesting company (Sun, Parish Hall, 6pm). John Pilger, Christopher Hope and Li Lu: Li Lu, a Tiananmen Square student leader and on China's 21 "most wanted" list, launches his book *Moving the Mountain* and discusses a world on the edge with Moscow, Moscow author, Hope, and the uncompromising journalist, John Pilger (Mon, Festival Theatre, 3.30pm). Justo Jorge Padron, Menna Elyn, Gabriel Rosenstock and Anthony Howell: Padron won the European Prize for Literature in 1988. Howell is a fine poet and writer/director for the "Ting Theatre of Mistakes". They are joined by Welsh-speaking Elyn and the Irish Gaelic writer Rosenstock in this session of border country poetry (Mon, Parish Hall, 6pm). Festival continues until June 4. Further information and ticket prices: Festival Box Office, Hay-on-Wye (0497 821238).

ROBERT COOVER AND ALASDAIR GRAV: Gray, prominent in what is being promoted as a new wave of Scottish writers, has his novel *Something Leather* just published. He joins Coover from the USA, one of the most brilliant and highly influential prose stylists of the last 20 years, giving a rare reading.

Battersea Arts Centre, Old Town Hall, Lavender Hill, London SW11 (071-223 2223), Fri, 6.15pm, £3 (£2).

POETRY LIVE 90: Benjamin Zephaniah, SuAndi and Pauline Omboboye: Dub poet and author of *Pen Rhythm and Dread*, Zephaniah has a strong following for his energetic and frequent performances. Completing a strongly diverse programme is Omboboye, a member of

Blackscribe, and SuAndi who has worked with Extempore Dance Company and Temba Theatre, Harlequin Theatre, Queen Street, Northwich (0606 41597), tonight, 7.45pm, £3 (£2).

ROY HUTCHINS: "Whale Nation" by Heathcote Williams. The monster smash eco poem of our times, brought powerfully to the stage.

Victoria Community Centre, West Street, Crewe (0270 211422), Fri, 7.30pm, £2 (£1.50).

NINA CASSIAN, CAROL ANN DUFFY and LIZ LOCHHEAD: Three poets who between them make up this year's collection, with Cassian taking pride of place. Go and hear.

Bolton Institute, College Club, Chadwick Street, Bolton (0204 28851), Fri, 7.30pm, £1.75 (£1.25).

VOLCANO THEATRE PRESENT "Heart versus mind, body versus soul, east versus west, faithful versus faithless - 19th-century poetic form versus late 20th-century social issues." A fine staging of Tony Harrison's poem, *Green Room*, Whitworth Street West, Manchester (061 236 1677), Fri, Sat, 8pm, £4.30 (£2.80).

APPLES AND SNAKES: A pan-African gathering of poets whose work is often at its strongest in performance: Elean Thomas (from Jamaica), Freddy Macha (from Tanzania), Thusi Mofutsa (from Zimbabwe), Pitika Ntuli (from Azania) with the Highgate trio Juwon.

Covent Garden Community Centre, 46 Earlham Street, London WC2 (071-890 9368), Fri, 8pm, £3.50 (£2.50).

STAN TREVOR: Hard-hitting author of *Guerrilla* launches a new edition of his collection *Hard Bones* and performs these texts with the help of Isabella McEwen and Bob Cobbing.

Toronto Meeting House, 99 Toronto Avenue, London NW5 (071-267 2751), Sun, 7.30pm, free.

JENI COUZYN: Editor of the *Book of Contemporary Women Poets* (Bloodaxe) and her own collection *Life by Drowning*, *The Happiness Bird*, *The Blue Nose Café*, 78 Mountgrove Road, London N5 (071-354 3655), Tues, 7.45pm, £3 (£2).

TATYANA TOLSTAYA and IRINA RATUSHINSKAYA: In this continuation of the excellent East European Forum series, two prominent younger writers read from their work and discuss their different experience and perception of life in the Soviet Union. With Michael Ignatieff.

ICA, The Mall, London SW1 (071-930 3647), Tues, 7.30pm, £3 plus £1 membership.

CRIS CHEEK

THEATRE

On such a knight

Susan Ellicott reports a US theatrical first: a woman playing Sir John Falstaff

Pat Carroll has no pretensions about her looks, as she explains her suitability to play Sir John Falstaff, Shakespeare's blustering knight. "I look like a baby's bottom," she says. "It's true," agrees Michael Kahn, her director. "You look like an advert for baby food." The two break into giggles.

Cross-dressing has been a popular theatrical device from Shakespeare's time, when boys played young women, to the portrayal of Hamlet in the last century by Sarah Bernhardt and in recent years by Frances de la Tour. But Falstaff? The fat knight described as a "gross, watery pumpkin", Prince Hal's sidekick in parts one and two of *Henry IV*, the preposterous rogue?

Carroll, aged 63, is probably one of the few women able to carry off the role. She is also, so far as records show, the first. As the actress points out, she is one of the few to want it. She praises Kahn, of the Folger Theatre in Washington DC, as one of the few artistic directors likely to agree. It took a beard test to convince even him she could carry it off in *The Merry Wives of Windsor*. Initially, he offered her Mistress Quickly, the bawdy wench who ensures Falstaff is cuckolded in his efforts to seduce the wives of two noblemen.

"This is the true essence of theatre," Carroll says of her role. "Theatre makes us look at things in a different way. It is also about dressing up and pretending to be someone you are not."

If the idea of a woman playing Falstaff is difficult to accept, the fact of Carroll playing him is not. A plump 5ft 3in with bad legs - "I walk like an old coot" - she sinks into a chair with her full weight, just as heavily as her Sir John falls on to a stage tavern bench.

A sigh of air rushes out from beneath her. Using words uncommonly spoken by Americans, such as "corking" and "awfully", she is naturally heavy, with a

huaky contralto voice deepened by years of cigarette smoke. The only child of parents who worked in the theatre in Los Angeles, she fell in love with Shakespeare in the early 1960s, during a visit to Stratford-upon-Avon. She came to the Bard late in life when asked by Kahn in 1986 to play the nurse in *Romeo and Juliet*.

The role of Falstaff seemed a logical step for an actress known for her appearances on game shows, in television comedy roles and as the voice of a squid in *The Little Mermaid*, the Walt Disney studio's recent cartoon film.

Sipping ginger ale from a paper cup as she throws a pink sweater to the floor from her shoulders, Carroll laughs her throaty cackle as she recounts the pitfalls of adopting the male mannerisms she had to learn to play the vain but cowardly knight.

She says: "My kids told me I looked like the bearded lady in the circus." She unlearned men in restaurants by staring at them to learn how they played with their facial hair and moved their bodies. Carroll shed 30lbs on a liquid diet to be able to bear her 15-lb costume up and down the set's stairs and took exercises to control her breathing and diction. However, the hardest part was making the seduction scenes convincing: "It's hard being this randy person with another woman," she says.

But it works, helped by the farcical style of the production, from the moment Carroll swaggers onto the stage wielding a beer mug, even when Falstaff tries unsuccessfully to mount Mistress Ford on a laundry basket.

Some people have asked whether she undertook the role to prove something. "I'm doing this for theatrical reasons, not feminist reasons," she scoffs.

It is not as if she has any ambitions to try another role. She has played out her fantasy. "This may be it," she says and chuckles. "I certainly don't want to do Hamlet. I foresee no other man in my future."



Patricia Carroll as Sir John Falstaff with Marilyn Sokol as Mistress Quickly

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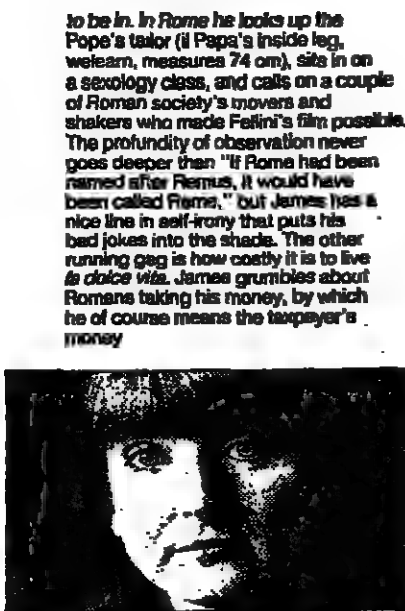
BBC 1

- 5.00 Cereals
5.30 BBC Breakfast News with Nicholas Witchell and Laurie Meyer 5.55 Regional News and weather
9.00 News and weather followed by *Pitfalls of a Sporting Life*. How the right diet can improve your performance
9.20 *Gloria Live*. Morning magazine, hosted by Gloria Hunniford
10.00 News and weather followed by *The Flintstones*
10.25 Playdays. 10.50 Barney
10.55 Five to Eleven. Poems written by children on the theme of *One World* read by Miranda Foster
11.00 News and weather followed by *The Bergen Debates*. Are We Too Many to Survive the Way We Live? With the population of the world on the upward curve with no end in sight, and millions already reduced to subsistence levels, which way should we go?
11.50 Northern Lights. Profile of electronic music specialist Rob Worby (r)
12.00 News and weather followed by the fifth anniversary of the Dunkirk evacuation. The programme comes from HMS Alacrity and includes coverage of a service attended by the Duke of Edinburgh 12.55 Regional news and weather

BBC 2

- 6.45 Open University: Pictures of Politics. Ends at 7.10
8.00 News 8.15 Westminster
9.00 Daytime on Two
9.00 News and weather followed by *Watch Cats* 2.15 The Sauce. The story of Las and Penzance Worcester Sauce (r)
2.25 Racing From Goodwood. Julian Wilson introduces live coverage of the 2.40, 3.10, 3.40 and 4.10 races. Includes news and weather at 3.00 and 3.50
4.25 Country File. For *One World* week the programme mounts an exhibition of work by leading environmental photographers who also talk to John Craven and Chris Baines (r)
4.50 Theme Tune. Piano Player. A composer sits at the piano groping for inspiration (r)
5.00 Snap! Photographer Michael Freeman demonstrates how to get good photos inside the home (r). (Ceebox)
5.10 Horizon (r). (Ceebox)
6.00 Film: *The Delicate Delinquent* (1957, b/w). Typical madcap Jerry Lewis comedy in which he plays a young delinquent who decides he wants to become a cop. Directed by Don McQuinn
7.35 Business Minutes: Doing Business in France. If you are out to court the market in Europe post-1992, then you might pick up a hint or two from John Humphrys as he looks at how the continentals do it on their own patch. Seeing how to handle a business lunch in France could be more useful than finding out how to redevelop a slum quarter of Paris, though, depending on course on who you are. Two more programmes to follow. Wales: Gardening Together

- richer Northern countries running an economic system guaranteed to make them richer. (r) 15.00 Northern Ireland: Balmoral Show 50 (to 5.50)
3.00 Wild World. The mysteries of the exotic jungles of Borneo's Mount Mulu national park are revealed (r)
3.50 Rumpus. Cartoon 3.55 Mervyn Taylor. Mark McGarr tells *A Moving Story*. Roy Aps 4.00 Laurel and Hardy. 4.05 Happy Families. 4.20 News. 4.35 Adventures of Mighty Mouse. 4.35 Tricky Business. 5.00 News. 5.05 Blue Peter. (Ceebox)
5.35 Neighbours. Northern Ireland: Sportsworld 5.40 Inside Ulster (r)
6.00 Six O'Clock News with Anna Ford and Gordon Harman
6.30 Regional News Magazine. Northern Ireland: Neighbours
7.00 Top of the Pops
7.30 EastEnders. (Ceebox)
8.00 Tomorrow's World. More facts, figures and issues on the Greenhouse effect. (Ceebox)
8.30 The Russ Abbot Show (r)
9.00 Nine O'Clock News with Martin Lewis. Includes an interview with President Bush. Regional news and weather
9.30 Clive James' Postcard From Rome. The jokes which sustain Clive James throughout his *Postcard From Rome* is the one about the last stylish Australian who goes looking for a *dolce vita*. The location may be different but the format remains the same as last week's trip to Miami. Clive drives the car, looks at the girls, wears the suit and meets the luminaries of whatever city he happens



Harriet Harman MP: Question Time (10.20)

- 10.20 Question Time. Joining Peter Sissons are Sir John Harvey-Jones, Professor Norman Stone, and MPs Lynda Chalker and Harriet Harman
11.20 Cagney and Lacey. Sharon Glas and Tyne Daly as the tough but vulnerable crimebusters (r). Northern Ireland: Balmoral Show 50 12.00 The Bergen Debates. 12.15 News and weather. Northern Ireland: 12.45am Close



Brazil: labouring awareness of misery (8.50pm)

- 10.20 10 to 10. There are ways and means of catching an audience's attention, and opening with a shot of a nude woman remains one of them. If there is an excuse for it here, it is that the subject of *Tina on the Azores*, this week's offering in the BBC2 short film, is photography, and one of its more unlikely practitioners. Anita Cheltenham acts in and narrates the eventual life story of Tina Modotti, an Italian who played dark ladies on the silver screen in the early days of Hollywood and moved to Mexico to record images of socialist unrest with a camera. Not all of this experimental mini-film is as arresting as its opening shot, but director Carl Higgin does her inventive best to combat the restriction of a very obviously minuscule budget
10.30 Newsnight with Donald MacCormick
11.15 The Last Show. Well proportioned, far cry from last week's nice documentary on ritual rituals. Philippa Walker's concluding report is more political than anthropological. Whatever the category, though, it is worth watching.
11.55 Weather
12.00 Open University: Weekend Outlook. 12.05am Learning Maths Together. Ends at 12.35

ITV LONDON

- 6.00 TV-am begins with News and Good Morning Britain presented by Maya Even and, from 7.00, by Mike Morris and Lorraine Kelly. With news at 6.30, 7.00, 7.30, 8.00, 8.30 and 9.00. After Nine includes Clare Reynar with advice for viewers with emotional problems
9.25 Cross Words. Tom O'Connor hosts the word-game show 9.55 Thames News and weather
10.00 The Time... The Place... Mike Scott hosts another topical discussion
10.40 This Morning. Daily magazine presented by Judy Finnigan and Richard Madeley. Today's edition includes items on family health, consumer advice, sport for women and the latest gossip from Hollywood. With national and international news at 10.55 and regional news at 11.55 followed by national weather
12.10 The Riddlers. For the young (r) 12.30 Home and Away. Australian drama serial about a couple and their five friends and neighbours
1.00 News at One with John Suchet. Weather 1.20 Thames News and weather
1.30 Daytime Green: The Green Life. A new series, asking if you want to be green, and then showing you how to go about it. Daily Barlow and Aleister MacDonald assume you do, and will report on the basics such as food, water and air over the next fortnight-led news weeks. There will

- also be a consumer guide to the barrage of green products on sale in a supermarket near you now, plus a campaign to clean up motoring
2.00 A Country Practice. Drama set in a community health clinic in the Australian outback
2.30 TV Weekly. Anne Diamond has another look at what goes on behind the scenes of some of TV's most popular programmes
3.00 Connections. Word-association game hosted by Simon Potter 3.25 Thames News and weather 3.30 Sons and Daughters
4.00 Huxley Pig. (r) 4.15 The Adventures of Teddy Ruxpin. (r) 4.40 Enid Blyton's The Castle of Adventure. Jack teaches his safety of his hide in the castle and Nica and Marmalade find out that Taurus is to be tested again
5.10 Blockbusters. Teenagers' general knowledge quiz
5.45 Goodnight with Nicholas Owen. Weather 5.55 Thames News. Jackie Sprackley with news of a temporary home scheme
6.00 Home and Away. (r)
6.30 Thames News and weather
7.00 Emmerdale. Topical rural soap set in the Yorkshire Dales (Ceebox)
7.30 Nature Watch: All for the Elephant. In this first of a new series, Julian Pettifer looks at how the protection of Africa's largest animals has reached crisis point
8.00 The Bill. News. In tonight's instalment of the down-to-earth police series, the Sun Hill force is joined by former colleagues at a fellow officer's funeral (Oracle)

- 8.30 This Week: For the Sake of the Children. Documentary on the crisis in multicultural education in British. Postponed from last week
8.00 L.A. Law. Sick, shallow American legal drama series set in a West Coast law firm. Starring Jerry Hamlin and Susan Day. (Oracle)
10.00 News at Ten with John Sonnevile and Fiona Armstrong. Weather 10.30 Thames News and weather
10.35 The City Programme. Can the shadow chancellor John Smith win over the City to support Labour's manifesto published today?
11.05 01. Includes features on Richard Harris, Belinda Carlisle, Brian Eno and Eddie Murphy
11.40 Prisoner: Cell Block H
12.30am Connections. Last in the current series of the television lonely hearts column
1.00 Speed Chess. Semi-final action from the Irish European championship, introduced by Raymond Keene
1.30 Film: *Fedora* (1978) starring William Holden and Marlene Dietrich. Stylish but heavy-handed version of Tom Tully's short story about an American movie producer who tries to draw a Garbo-esque star out of obscurity, but finds that he does not know as much about her as he thought. Directed by Billy Wilder. Followed by News
3.30 Bedroom. The rock group Lindisfarne in concert
4.30 America's Top Ten (r)
5.00 ITN Morning News with Phil Roman. Ends at 6.00

CHANNEL 4

- 6.00 The Art of Landscape. Soothing music set to natural images
6.30 The Channel Four Daily
9.25 Schools
12.00 The Parliament Programme presented by Sue Cameron
12.30 Business Daily. Financial and business news service
1.00 Sesame Street. Pre-school learning
2.00 A Full Life. Public broadcaster, historian and travel writer, John Julius Norwich reflects on his life and career (r)
2.30 Film: *The Working Man* (1933, b/w). George A. Hirsch, Betty Davis and Pauline Kael on the life of a working class manufacturer re-organizes the work, and subsequently the lives of his employees. Directed by John G. Adolfi
3.55 Return to the Crater's Rim. Spectacular footage of a volcano erupting on an island just off Ireland
4.30 Fifteen-to-One. Another round of the quick-fire general knowledge quiz show
5.00 Garibaldi the General. In today's episode of this romanticized biopic of the life of the founding father of the Italian state, Giuseppe Garibaldi, the monarchist Bourbon emperor allied with the Volturians. Starring Franco Nero in the title role
6.00 Things To Come. Malcolm Bennett and Penny Southgate present this innovative science programme which asks fundamental questions about what our future will hold. What would happen if we all lived to be 120? What if we could programme our children at birth? And how would we act if UFOs really existed? Some of these capabilities will exist in the not too distant future: how will we react? Will it solve our problems or simply show our present problems for what they are?

- 6.30 Kaba & Alie. If She Goes I Go. One was a 1950s free spirit who was against Vietnam, the other was a straight traditionalist who supported it. In the 1970s they both got married, in the 1980s they found that they had something in common: both are middle aged divorcees mothers (r)
7.00 Channel 4 News with Jon Snow and Zohrab Baidawi
7.50 Comment followed by Weather
8.00 Greek Fire. In the last part of the series looking at the legacies of ancient Greek civilization, the concept and practice of war is examined. As Einstein commented after Hiroshima, "Everything has changed, except our way of thinking"
8.30 My Two Dads: Crime and Punishment. Average American sitcom following the fortunes of a girl who could have one of two fathers and has settled for living with them both
9.00 Film: *Hotel du Paradis* (1989). This first feature by Czech-born director Jana Bokova is a melancholic portrait of Paris. Set in a quiet hotel, it contrasts the troubled, solitary lives of

- the characters staying there and charts their growing involvement with one another - a beautiful woman trying to escape from her lover, a script writer trying to break-in the movies, and an ageing east European actor trying to break-in to them and back into the theatre. Lisa Bokova's recent BBC2 Arena documentary about Havana, *Hotel du Paradis* displays a refined and highly personal feel for the city - its bustle, its breath and above all its sensuality. Starring Fernando Rey, Berangela Borroisin and Fabrice Luchini
11.10 Bach: Masterpieces to Order. The *Ascension Oratorio*. This programme goes back in history to trace how the composer, Bach, created his masterpieces. With the help of choirs from Leipzig and Yorkshire and the use of genuine 18th-century instruments, some of Bach's most famous choral pieces are performed
12.00am Film: *Where the Green Ants Dream* (1984) starring Bruce Spence, Wajid Malik, Roy McKee and Ray Bani. Visually stunning and deeply moving film about the clash of cultures between indigenous Aborigines and an encroaching mining company in outback Australia. The film is based around, and very supportive of, the Aboriginal Land Rights Movement, with clashes with a mining company when a group of elderly Aborigines refuse to vacate one of their most sacred sites. The sympathetic Australian geologist helps work and calls in the company president, who in turn uses various tricks and incentives to get them to move. The story culminates in a vivid scene in a court room where the ridiculousness of Aborigines fighting to save their own land through a Western justice system that is based on totally different precepts is graphically highlighted. Directed by Werner Herzog. Ends at 2.30

Bokova's *Hotel du Paradis* (1989)

- 9.00 Film: *Hotel du Paradis* (1989). This first feature by Czech-born director Jana Bokova is a melancholic portrait of Paris. Set in a quiet hotel, it contrasts the troubled, solitary lives of

RADIO 1

- FM Stereo and MW
5.00am John Peel 5.30am Simon Mayo 5.50am Radio 1 Breakfast
6.00am News 6.15am News 6.30am News 6.45am News 6.55am News 7.00am News 7.15am News 7.30am News 7.45am News 7.55am News 8.00am News 8.15am News 8.30am News 8.45am News 8.55am News 9.00am News 9.15am News 9.30am News 9.45am News 9.55am News 10.00am News 10.15am News 10.30am News 10.45am News 10.55am News 11.00am News 11.15am News 11.30am News 11.45am News 11.55am News 12.00am News 12.15am News 12.30am News 12.45am News 12.55am News 1.00am News 1.15am News 1.30am News 1.45am News 1.55am News 2.00am News 2.15am News 2.30am News 2.45am News 2.55am News 3.00am News 3.15am News 3.30am News 3.45am News 3.55am News 4.00am News 4.15am News 4.30am News 4.45am News 4.55am News 5.00am News 5.15am News 5.30am News 5.45am News 5.55am News 6.00am News 6.15am News 6.30am News 6.45am News 6.55am News 7.00am News 7.15am News 7.30am News 7.45am News 7.55am News 8.00am News 8.15am News 8.30am News 8.45am News 8.55am News 9.00am News 9.15am News 9.30am News 9.45am News 9.55am News 10.00am News 10.15am News 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BUSINESS

THURSDAY MAY 24 1990

Executive Editor
David Brewerton

Writ for Eagle's former auditor

EAGLE Trust, the troubled film camera and engineering conglomerate, which owes banks nearly £100 million, is to sue its former auditor, KPMG Peat Marwick McLintock (Jeremy Andrews writes).

Eagle said that the damages sought would be "substantial" in view of heavy losses sustained in Eagle Express, its parcel carrier business, and La Forza, a luxury car project.

Eagle Trust issued writs against seven former directors in March alleging breach of fiduciary duty. The writ served on Peat Marwick McLintock alleges breach of contract and/or negligence. Peat Marwick denied any liability to Eagle Trust and said that it would fight the case.

The claim centres on £14.9 million treated as a loan in Eagle's 1987 accounts that the Eagle board alleges was used to fund sub-underwriting commitments in connection with its rights issue in October. It also alleges that property at Bray, Berkshire, was overvalued by £3.5 million and that the audit failed to substantiate Eagle Trust's ownership of shares in Owners Abroad worth £3.2 million.

Saatchi sues seven who left

Saatchi & Saatchi issued writs against the breakaway team of seven former directors and two staff that last week set up a rival advertising agency. The writs, delivered to Cowan, Kemley and Taylor's lawyers, allege breach of contract and include a claim for unspecified damages.

Mr Paul Cowan, managing director of the new agency, said last night that he and his colleagues would resist the legal action, due to be heard in court today.

BAT setback

BAT Industries, the tobacco and financial services group, saw first-quarter pre-tax profits fall from £318 million to £231 million and net earnings fall by 36 per cent to 7.93p a share. An interim dividend is to be declared on May 31.

— *Times*, page 25

Committee calls for overhaul of insider law

By GRAHAM SEARJEANT, FINANCIAL EDITOR

A COMPLETE overhaul of the system of dealing with insider trading is needed to achieve better enforcement of the law and protect the City's reputation, the Commons Select Committee on Trade and Industry reports.

A more flexible system could include introducing civil remedies, used by the Securities & Exchange Commission in the US, and regulators imposing penalties on the lines of tax assessments, against which alleged insider traders would have to appeal. In a report on company investigations heavily coloured by damning criticism of the DTI's treatment of the House of Fraser affair, the all-party committee unanimously concludes that DTI's record in enforcing insider trading laws in the past 10 years shows dilatoriness and blames delays in inquiries by the DTI in cases brought to it by the Stock Exchange as well as technical problems with the law.

The committee said it was astounded that it could take up to six months to appoint inspectors to investigate insider dealing cases already referred to the DTI. Decisions should be taken within 21 days

and appointments speeded up, perhaps using a permanent panel of pre-vetted inspectors. Investigations on insider trading should have a time limit of three months. The report also suggests changing the burden of proof to increase the rate of convictions and the number of cases the DTI thought worth pursuing. But it acknowledged the DTI had put more effort into insider trading law over the past two or three years and had improved.

But it asks: "If it takes 10 years to start to get to grips with one offence, what can be expected of (the DTI) as new schemes of commercial malpractice are detected?" It says that the response to insider trading since it was made a criminal offence is indicative of the DTI's general attitude to regulatory responsibilities. "Rarely can a government department's discharge of its responsibilities have been held in such low esteem among others involved," it says. Mr John Redwood, Corporate Affairs Minister, said the DTI would take the 34 recommendations of the committee in a spirit of constructive criticism and give a measured response.

He will extend consultation on changes

to the insider trading law, which must be made to implement a European Community directive. But he would not commit himself on whether the Government would re-open the possibility of civil remedies, which Mr Nicholas Ridley, the Trade Secretary, has not favoured. He said the new compliance systems introduced in the City to cope with the Financial Services Act had probably deterred insider trading by making it easier to detect.

The committee generally supports the system of company investigations through outside inspectors. With one dissenting voice, it rejects proposals by the Bank of England and the Securities and Investments Board, in the wake of the County NatWest report, that DTI inspectors should confine themselves to investigating the facts and avoid judgments, which should be left to regulators.

This is likely to kill any moves to stop investigators making judgments in published reports, which the committee says are vital to understanding by the public and by ministers. But the Committee suggests several reforms to the system. It recommends large investigations be com-

pleted in a year and reports published immediately, partly to clear innocent parties, unless possible prosecutions were being pursued before the report was complete.

Inspectors should make recommendations for disciplinary or legal action where appropriate in a separate appendix to their reports, which would not be published. Those criticized by reports should be given a fixed time to respond and contested arguments should be published as an appendix to the inspectors' report.

Investigations, and company law in general should also seek to protect wider interests than just shareholders, as the regulatory system is aimed at defending the integrity of the financial system. More efforts should be made to recoup the costs of large investigations — which cost up to £1.6 million each — from those criticized. "It is especially scandalous that the taxpayer has had to pay £1.5 million for the House of Fraser inquiry."

Mr Kenneth Warren, chairman of the Committee, said recent changes in legislation, particularly the Financial Services Act and the setting up of the Serious Fraud

Office, had greatly improved surveillance of corporate malpractice and that it was too early to judge their workings. The committee also praised the DTI for putting through legal changes proposed in the HoF report speedily and said it was impressed by Mr David Durie, now head of the DTI's investigations division. But it said its initial impression that the DTI is improving "has been confounded by the lack of action taken against the Fayed brothers following publication of the HoF report. It also suggests that in the long run, Britain may need a single authority such as the SEC.

The committee criticizes both Mr Ridley and Lord Young, the former Trade Secretary, for failing to act on the HoF report. But it has no criticism over the authority's failure to prosecute. It said charges might have been brought against the Fayed brothers, but Mr Ridley had said corroborating evidence to prove these had not been forthcoming. In a statement, House of Fraser said it was regrettable the Committee had sought fit to outline charges that might have been brought.

Report extracts, page 25

MMC blocks Kingfisher bid for Dixons

By DAVID BREWERTON

KINGFISHER learned yesterday that its proposed takeover of Dixons Group would not be allowed after a report from the Monopolies and Mergers Commission was put on sale at government bookshops a day early.

The merger is to be prevented on the grounds of the potential loss of competition in the sale of electrical goods which would be likely from the creation of a single group five times larger than its nearest competitor.

The blocking vindicates the campaign by Dixons to have the proposed takeover referred to the MMC, and has been accepted by all sides. After a morning of telephone calls and confusion as the report was sold early, Kingfisher offered Dixons "its best wishes for the future."

Dixons naturally welcomed the report and the acceptance by Mr Nicholas Ridley, the Trade Secretary, of its recommendations. Mr Stanley Kalms, Dixons' chairman, said the group's paramount aim is to rebuild long term value for its shareholders.

At one point during the morning, it was not known whether or not Kingfisher was

trying to reach a deal with the DTI to meet some of the MMC objections. But the DTI said in its statement, rushed out at lunchtime after trading in shares of both companies had been suspended, that the MMC had considered what action might be taken to remedy or prevent the detrimental competition. "It concluded no effective remedy could be found and therefore the acquisition should not be permitted. Mr Ridley's decision to accept the MMC's conclusions was in accordance with the advice of the Director General of Fair Trading.

There was, however, one dissenting voice on the committee of the MMC, which investigated the matter. Mr Colin Baillieu, a member of Lloyd's, said he was "unafraid of the consequences of a merger." But the majority decision is that the national rivalry between the two leading companies in the industry has brought considerable benefits to consumers of brown and white goods, "both directly and because of its influence on prices and conditions of sale in the retail market generally. Removal of this rivalry from the competitive process would have a significant impact on com-

petition in the retail market, and thus on retail prices."

The MMC was not convinced by Kingfisher's argument that although the combined group would have national dominance, it would not affect competition, as the purchase of electrical goods was primarily a local activity. It took the view that prices at local levels were decisively influenced, if not determined, by "forces at national level."

The Commission pointed out that Dixons, Currys, a Dixons subsidiary, and Comet have created national chains, setting national prices and advertising their stores and products on a national basis.

Dixons and Currys is the largest British electrical goods retailing group. Kingfisher, through its Comet subsidiary, is the second largest. The Commission found the combined market share of the two companies would be between 21 per cent and 26 per cent depending on the definition of the market.

Kingfisher has already said it will expand organically if the merger was stopped. After the announcement, Dixons shares fell 7p to 124p, and Kingfisher rose 3p to 311p.

Comment, page 25

Bass frees its tie on 2,400 pubs

By MARTIN WALLER

BASS, Britain's biggest brewer, is to have off about 2,400 pubs in its 6,800-strong tied estate to comply with the Monopolies and Mergers Commission report that was designed to weaken the power of the big names in the industry.

The group will sell the pubs or lease them free from any tie to take its products, said Mr Ian Prosser, the chairman and chief executive. He added: "I don't think that this will cause significant job losses. There are some significant costs." Analysts expect these to be taken as an extraordinary item below the line in the second half of the financial year.

Bass was announcing interim pre-tax profits to end-March up from £225 million to £247 million. The dividend is raised by 2p to 9p, but this was aimed at balancing the half-way and final payments and should not be taken as an indication for the year, said Mr Prosser.

The first half saw the completion of the £1.3 billion purchase of the Holiday Inns hotel chain in the US. Earnings for the seven weeks in which it was included in the first half failed to come close to covering interest costs of £25 million.

Operating profit from the pubs grew by 15 per cent, disguising a sharp regional disparity and a slowdown in sales in the south. A review of both brewing and imports confirms that the value of Bass businesses as one group is higher than their value as stand-alone businesses," Mr Prosser said. Bass owns its biggest-selling brands, giving it close control over its business.

— *Times*, page 25



Cautious cheer: Ian Prosser, the chairman, after announcing results yesterday

HMSO blames fiasco on 'hiccup' in communication

Timetable of a blunder

By STEPHEN LEATHER

A "hiccup" in communication was being blamed last night for the premature publication of a Monopolies and Mergers Commission report recommending that a £568 million bid by Kingfisher, the stores group, for Dixons, the electrical goods retailer, should be rejected.

The MMC report was due to be released by the Department of Trade and Industry today, but was available from a London bookshop of Her Majesty's Stationery Office,

As Mr Mulcahy replaced the receiver calls from analysts were flooding in to Kingfisher's head office asking for details about the report.

At 11.50 am Mr John Redwood, Consumer Affairs Minister, who is standing in for Mr Ridley, telephoned Mr Mulcahy to say that the DTI had intended to publish on Thursday.

Just before midday Kingfisher telephoned the Stock Exchange warning it of the possibility of a false market and to ask for the shares to be suspended. Twenty-five minutes later they were duly suspended. By then 5.5 million Dixons shares had changed hands and 3.5 million Kingfisher shares had been bought and sold. Significantly, not a single put option of Dixons had been traded.

The Stock Exchange has launched an investigation, but is unlikely to decide that there was a false market as the information was obtained from a public document. All the deals done before suspension will stand.

Shortly before 1 pm the DTI officially announced the

on Wednesday, and has written instructions confirming the time and date.

"Publication was effected first thing this morning," said the HMSO spokesman. "This is in accordance with plans previously agreed with the DTI. There appears to have been a last minute communication hiccup which we are investigating. I haven't been able to get to the bottom of it, but obviously something has gone wrong."

Following standard proce-

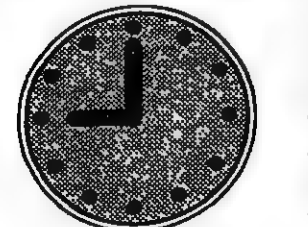
dures, the reports were stored in restricted areas and sealed in boxes clearly marked with the embargo date — 9 am, Wednesday May 23.

In all 2,000 copies were printed, of which 400 were released via Holborn. By 4 pm Holborn had sold 330 copies. Others were sent by Datapost to Stationery Office shops in Belfast, Birmingham, Bristol, Edinburgh and Manchester. Copies also went to interested parties and Parliament.

It has been speculated that one possible reason for the mix-up was that the DTI had telephoned to change the release date.

But the DTI insisted the release date was definitely Thursday. "It was not the intention of the Department that the report be published today," said a spokesman.

"But we became aware that it was on sale at an HMSO bookshop."



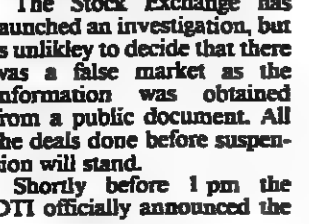
Sam: Report goes on sale

which publishes and sells official government information, yesterday morning.

The first copies went on sale at the High Holborn shop at the bookshop following the embargo written on the reports.

It was available here at nine o'clock this morning for £9.10, a spokesman for the HMSO bookshop confirmed. Rumours the MMC had recommended the Kingfisher bid be blocked swept the stock market. Dixons shares fell 11p to 120p and Kingfisher shares rose 7p to 315p in morning trading.

Solicitors working for Kingfisher obtained a copy of the report at 10.30 am and an hour later Mr Geoffrey Mulcahy, Kingfisher's chairman, telephoned the private office of Mr Nicholas Ridley, the Trade Secretary, only to be told he was in Italy and that the report should not have been published.



12.25pm: Shares in Dixons and Kingfisher suspended

At 12.25 pm the shares in Dixons and Kingfisher were suspended.

At 11.30am: Kingfisher informs DTI that report is on sale

MMC conclusions. The DTI has launched an investigation into the mix-up. A spokesman confirmed that Wednesday had originally been the release date, but last week it had been decided to switch to Thursday.

More bad trade figures worry City

By RODNEY LORD

ECONOMICS EDITOR

THE trade deficit fell from £2.09 billion to £1.78 billion last month. The City saw the deficit as the second bad figure in a row and sterling, shares and gilts all dipped initially.

By the close, the FT-SE 100 index was down 23.9 points at 2,287.4 and gilts by about half a point. Sterling, however, revived on continued speculation about British entry to the exchange rate mechanism of the European Monetary System, closing 0.1 higher at 89.0. It was up 20 points at \$1.6935 after topping \$1.70 and 58 points at DM2.8298.

Exports rose £274 million to £8.67 billion and imports fell £32 million to £10.45 billion. Invisible trade was estimated to be in balance, leaving a current account deficit the same as the trade deficit at £1.78 billion, compared with a downwards revised figure of £2.09 billion in March.

Economists pointed out that nearly all the improvement came from erratic items such as ships, aircraft and precious stones. The surplus on oil rose from £164 million to £210 million.

Excluding oil and erratic items, the volume of exports in the three months to April was 1/2 per cent higher than in the previous three months and 11 per cent up on the same period a year earlier. Imports on the same basis were 2 per cent higher than in the previous three months and 3 per cent up on a year earlier.

Taking the first four months of the year together, the deficit has been running at an annual rate of nearly £22 billion compared with the Budget forecast of £15 billion.

Why City worries, page 25

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RHM stock falls after profits alert

By COLIN CAMPBELL

RANKS Hovis McDougall saw its shares tumble by 38p to 360p yesterday on a warning by Mr Stanley Metcalfe, chairman, that "full-year profits are unlikely to achieve the record level of 1989."

RHM said that interim pre-tax profits were only barely changed at £81.7 million (£81.5 million) on sales of £919.3 million (£893.4 million) because of the impact of high interest rates and the knock-on effects of the mild winter.

There was also increased competition in its markets. Trading in Britain, was, therefore, merely similar to the same period last year.

Overseas companies did well, but RHM saw mixed fortunes in its various divisions. In addition, the group has accounted for a £2.1 million extraordinary loss because of the re-call of a Mr Kipling product after a contamination incident.

RHM's interim interest charge rose from £12.4 million to £19.9 million. The figure compares with last year's total interest charge of £26.6 million.

The £188 million proceeds from the sale of its 70 per cent stake in Cerebos Pacific was received on April 20, and the sum will help to reduce gearing and facilitate the development of group interests in Europe, including Britain, and the United States.

The group is holding its interim dividend at 3.82p a

share, which will be payable July 13.

With the benefit of trading since March 3 to hand, Mr Metcalfe says that results after interest for the first eight months of the current financial year are "similar to those of last year." Hence, his profits warning about likely full-year results.

In the previous full financial year, RHM reported pre-tax profits of £176.5 million on a £1.79 billion turnover.

A breakdown of pre-tax profits for the half year show advances by grocery products from £18.8 million to £24.9 million, but weaker profits from food services (£9.8 million against £12.1 million), and a setback from £9.1 million to £8 million for Manor Bakeries, the packaged cakes company.

RHM adds that there was a small decline in wrapped bread consumption and continuing competitive market conditions.

Overall, British Bakeries held market share and gained leadership of the brown bread market following the launch of Hovis Wholemeal.

RHM adds that significant investment in tamper-evident packaging and information systems for the grocery division should lead to improvements in production efficiency.

United States sales were a record and trading profits were significantly higher, the company said.

Outhwaite investors must find extra £76m

INVESTORS in the two troubled 1982 RHM Outhwaite insurance syndicates at Lloyd's must come up with another £76 million by July 23 to meet massive losses stemming from a continuing flood of asbestosis and pollution claims from the US.

The 1,614 names on twin syndicates 371 and 661, who have paid out £91.8 million towards the losses, face two additional payouts of £13.1 million each in 1991 and 1993 - bringing the total cash calls to £196 million.

Mr Edward Bloxham, the Outhwaite chief executive, said provisions for expected claims were cut from the £76 million estimated at the end of 1988 to £26.2 million, half of which has to be paid next year. This is mainly as a result of the reduction of liabilities through negotiated settlements with 16 of the 32 syndicates from which Outhwaite took on the non-marine reinsurance.

Individual names will have paid £82,400 each for every £20,000 of business traded on their behalf, with £12,000 more outstanding.

"We perceive a glimmer of light at the end of the tunnel as a result of the slowdown in the rate of deterioration," said Mr Richard Outhwaite, the underwriter.

But Mr Peter Nutting, chairman of the Outhwaite 1982 Names Association, which is suing Outhwaite and 80 members agents for alleged negligence, said: "Things are not going to get better; they can only get worse. The rate of deterioration is slowing, but the ship is still sinking."

Courtaulds rises to £168m

JOHN CHAPMAN



Top trio: Sipho Huisman, centre, managing director of Courtaulds, yesterday with Richard Laphorne, left, finance director, and Sir Christopher Hogg, chairman

THE long-overdue rationalization of the European acrylic fibre industry is likely this year, according to Sir Christopher Hogg, chairman of Courtaulds, the paints and chemicals producer, which has just demerged its garment making operations (Jeremy Andrews writes). Courtaulds has decided to "reduce its exposure" to acrylic fibres.

The slimmed-down group made pre-tax profits of £168 million last year, £8 million up on the previous year. Earnings per share were 32p, up 13 per cent. The final dividend is 8p, as promised in February.

Times, page 25

Optimism over mortgages

By LINDSEY COOK, FAMILY MONEY EDITOR

NUMEROUS fixed-rate mortgage offers have been launched at interest rates ranging from 12.95 per cent to 13.95 per cent, and more are on the way.

Lenders have taken advantage of cheaper money market rates, which were temporarily brought about by City optimism on hopes of an imminent entry into the European Exchange Rate Mechanism. Building societies and other lenders are also expecting variable mortgage rates to

fall at the end of the year or the start of 1991, and to continue a downwards trend until the next General Election.

First Mortgage Securities has announced an 18-month fixed-rate loan at 12.95 per cent, with the option of a further fixed-rate loan at attractive pre-election rates in December 1991 (assuming a spring 1992 General Election) or a variable rate loan.

The £100 million worth of mortgages carry compulsory accident, sickness and un-

employment insurance, which works out at 2.75 per cent of the amount borrowed. The annual percentage rate is 14.1 per cent.

TSB is offering mortgages fixed for three years at 13.5 per cent, an APR of 14.6 per cent on endowment loans. Other fixed-rate packages have been launched by Yorkshire Building Society, Birmingham Building Society, Northern Rock, Norwich and Peterborough, and Britannia Building Society.

BUSINESS ROUNDUP

Countryside profits plunge 64% to £4m

COUNTRYSIDE Properties, the Essex housebuilder and commercial developer, suffered a 64 per cent fall in profits from £11.1 million to £4 million in the half year to March and turnover also shrank by 39 per cent to £27.9 million. However, sales of speculatively-built houses held up well and the setback was mainly due to a reduction in housebuilding in partnership with housing associations and building societies and the fact that no major office developments were completed during the period. The interim dividend is to go up by 9 per cent to 1.41p.

Housing turnover fell from £31.3 million to £22.7 million, but the bulk of the downturn was in partnership housing where sales halved. Gross profits in the residential division fell from £9.7 million to £5.1 million, while the commercial division slumped to £930,000 (£3.9 million).

Isopad slips to £2.06m

ISOPAD International, the heat control equipment manufacturer, has blamed "provisions on certain contracts" for a drop in pre-tax profits from £2.5 million to £2.06 million for the year to end-January. Turnover was up 30 per cent to £17 million, but earnings per share fell to 9.5p (12.2p). The total dividend is 5.5p (5p). More provisions are not expected.

Court rejects report plea

AN APPLICATION by the Manx government to publish the confidential Chadwick Report which investigated the collapse of the Savings and Investment Bank in 1982 was refused in the Manx High Court. But permission was given for it to be released confidentially to all members of the island's parliament and to legal representatives of depositors.

Whessoe ahead 78%

THE decision to withdraw from offshore module construction and heavy engineering fabrication in Britain continued to reap dividends at Whessoe, the Darlington engineer, with a 78 per cent rise in pre-tax profits to £2.71 million in the half-year to end-March.

The interim dividend is increased by 0.5p to 1.75p, in part to ensure a more even spread over the year. The engineering division more than doubled profits, from £957,000 to £2.29 million, although the timing of various contracts last year depressed profits from instrumentation and control from £566,000 to £421,000.

Solicitor granted bail

MR MARTIN Isaacs, aged 33, of Marlborough Hill, St John's Wood, London, the solicitor charged with manipulating share prices after sudden changes in the Williams Holdings price last November, was yesterday remanded on bail by Bow Street magistrates pending medical reports. The case has been adjourned until June 21.

Brent Walker sells brewery

BRENT Walker has agreed in principle to sell the Tolly Cobbold Cliff Quay Brewery at Ipswich, Suffolk, in a management buyout. Adjoining the brewery will be a museum, public house and restaurant. Brent Walker, which will retain a stake in the brewery, intends the rest of the six-acre site to be a mixed commercial and residential development.

Marconi cable stake

MARCONI, the defence electronics subsidiary of GEC, is expanding into the fast-growing UK cable television market with a £5.8 million investment in Sheffield Cable Media, a British-funded consortium bidding for the Sheffield, South Yorkshire, franchise.

SCM, which finds out next week if it has won the franchise, is competing against seven others, backed by US and Canadian cable and telephone companies, for the area reaching 500,000 people. Marconi has taken a 20 per cent stake in SCM, and said it was currently talking to other cable companies, "some with franchises, some without."

Land Secs raises asset value despite slump in property

By MATTHEW BOND

PROPERTY values in the City of London fell by 2.75 per cent in the year to March, but Land Securities, Britain's biggest property company, has increased its net asset value by 2.1 per cent.

With the gloom over the commercial property sector seemingly darkening by the day, many observers had expected Land Securities to report a fall in net assets yesterday. That it did not do so prompted a 5p rise in the company's share price to 500p, sparking similar rises in other property investment shares.

Mr Peter Hunt, chairman of Land Securities, expects that the property market will pull itself out of its current trough. "I believe you can just begin to see the light at the end of the tunnel," he said.

Mr Hunt believes that most of property's current difficulties are due to high interest rates rather than any permanent imbalance of demand and supply, and expects confidence to return when interest rates start to fall.

The value of the Land Securities' portfolio has been estimated by Knight Frank & Rutley, the property agent, at £5.61 billion at the end of March, up £400 million.

Only £84.6 million of that increase came about through rises in value. Falls in the value of City property were

compensated for by modest rises in the values of shops and offices in the West End and in the regions. According to Mr Hunt, industrial property was the star performer, with an increase of 8.5 per cent.

Helped by this revaluation, shareholders' funds have risen to £4.43 billion. On a fully diluted basis, net assets per share rose to 867p.

There was a far bigger increase in pre-tax profits, up 17.3 per cent to £175 million. Net rents and interest receivable of £286 million covered total interest charges of £111 million 2.6 times. A final dividend of 12.25p makes 17p (14.4p) total.

The company's gearing, said Mr Hunt, was under 28 per cent. It is 10 years since Land Securities gave up capitalizing part of the interest paid on building its developments.

"We simply didn't have to any more," Mr Hunt recalled. Capitalizing interest lies behind most of the cash-flow problems currently affecting property developers.

The Land Securities development programme extends to more than 1 million sq ft of new offices, including the 170,000 sq ft Grand Buildings development at Trafalgar Square. Despite last year's fall in property values, the company also has five developments within the Square Mile.

Advertising success boosts Yorkshire

By MELINDA WITTSTOCK

SHARES in Yorkshire Television, one of the big five ITV contractors, rose 6p to 242p after it claimed to be winning an increasing share of national advertising revenue.

Yorkshire, which reported a 6.8 per cent rise in pre-tax profits to £11.08 million for the six months to end-March, said its share of national advertising revenue is now 8.8 per cent compared with 8.5 per cent this time last year.

Revenue in the second quarter declined by 3.07 per cent compared with an overall decline across ITV of 4.04 per cent and Mr Clive Leach, the managing director, said April's advertising revenue is

up 7.8 per cent compared with 7 per cent for the network.

Interim turnover rose by 11.1 per cent, mainly through increased sales of dramas, particularly abroad, where sales rose from £1.02 million to £1.11 million.

This resulted in an increase in programme costs from £33 million to £43 million. Staff costs, however, were reduced from £19.5 million to £17.9 million. Mr Leach said programme costs will be "back down to their normal levels" in the second half.

Earnings per share rose from 18.3p to 19.3p, while the interim dividend is unchanged at 3.5p.

"I expect solid progress in a transitional year."

Patrick Sheehy, Chairman

THREE MONTHS RESULTS

	Three months to March		
	1989	1990	Change 89-90
£1=£1.65 at 31.3.90 (£1.61 at 31.12.89)			
TURNOVER	£4,790m	£5,095m	+6%
PRE-TAX PROFIT	£318m	£231m	-27%

● Exceptional combination of factors at Eagle Star - severe weather underwriting losses and lower stock market values - led to reduction in pre-tax profit.

● Financial services: strong underlying business growth from Farmers, Eagle Star and Allied Dunbar - good increases in general and new life annual premiums.

● Tobacco: year started with a strong performance from the Group's tobacco businesses - trading profit up 12 per cent boosted by continued growth in export markets.

● Demerger and disposal programme almost completed - proceeds from disposals show Group's success in realising full value for shareholders from excellent businesses.

● "The first quarter will not be representative of the year as a whole", commented Patrick Sheehy. "I expect the Group to make solid progress in a transitional year."

● Special May Board Meeting to consider earlier dividend payment dates.



B.A.T. INDUSTRIES

The full quarterly report is being posted to shareholders and copies are available from the Company Secretary, B.A.T. Industries p.l.c., Windsor House, 50 Victoria Street, London SW1H 0NL.

Kingfisher denied the tastiest morsel

COMMENT

DAVID BREWERTON

Had the recommendation of the Monopolies and Mergers Commission on the attempted takeover not been such a foregone conclusion, fortunes could have made and lost yesterday morning. The incredible incompetence of the combined forces of the Department of Trade and Industry and the government Stationery Office over the publication of the commission report gave three clear hours in which the well informed investor could have profited over his ignorant counterpart. From 9am until the shares were suspended at lunchtime, there were some that knew and many that didn't.

The Stock Exchange, once told about the problem, acted with commendable speed. But the question which is not even being considered at this stage is whether or not there was a false market in the shares of the two companies. (In this particular instance, "false" is the wrong word. Probably it should be called a "knowing" market). Trade in Dixons shares was brisk as the shares sank 11p during the course of the morning. The

analysts were working on rumour, but there must have been some people in the market who knew. It is not only solicitors who employ an agent to turn up at the Stationery Office every morning, sharp at 9am, to see whether there's anything worth buying. If anyone feels upset by the lopsided nature of the trading, they should ask the Stock Exchange to consider ordering the deals to be unwound. They will not do so, of course.

Another uncertain aspect of the share dealings is whether or not those who traded on the basis of knowledge of the commission recommendations could be classed as insiders. The answer is probably not, since the information was available to everybody with £9.10 to spend.

The decision of Mr Nicholas Ridley, the Trade Secretary, to accept the commission recommendations as they stand was not difficult for him to arrive at. The creation of a new retail grouping

in electrical goods five times the size of its nearest rival could not by any stretch of the imagination be expected to pass the simple scrutiny of a commission bent on defending the public interest, especially when there are so few mitigating factors. Kingfisher will now take up "plan B", and expand by organic growth, and instead of having Dixons in its arms as a partner, will have it in its sights as its prime competitor.

The two are unlikely to continue to bash each other's margins in an all-out price war. Competitors less grown-up than Geoffrey Mulcahy of Kingfisher and Stanley Kalms of Dixons have learned to pitch their level of competition with such precision that it obliterates the little

men while leaving their own businesses intact. Both need to make money in a soggy retailing market, and since Kingfisher has little to gain by weakening Dixons through hitting its bottom line, the consumer is likely to pay more in any case.

But that does not make the commission wrong.

Digging deep

Eurotunnel chief executive Alastair Morton used a Claridge's luncheon hosted by *Reader's Digest* to repeat in public a long-held personal view that total cross-Channel traffic, when the tunnel is open for business, will be far greater than

forecasts prepared independently for the group's bankers. He has spoken in similar vein before, basing his contention on the two points — the preference for caution which underlies a banker's approach to project finance, and the phenomenon known to transport economists as "created traffic" — or more popularly as The M25 Effect. But on this occasion, Morton's timing is interesting.

In a couple of weeks, the group's bankers and shareholders will receive a fresh set of traffic forecasts along with details of plans for the crucial final financing which is intended to see the exercise through to completion and launch.

Eurotunnel remains deeply silent on what the new forecasts will reveal, which is clearly potentially price sensitive. But Morton's re-statement of one of his essential articles of faith will clearly be welcomed by the leaders of the banking consort-

ium which will be working hard to complete the £2 billion loan syndication by the autumn. For those involved are anticipating some resistance, especially overseas where the highly-visible battles earlier this year between Eurotunnel and Transmanche-Link, the construction consortium, have raised some concerns. In Japan especially, things are not done this way.

So far, those of Eurotunnel's forecasts which can be tested by events, for example projections of cross-channel traffic ahead of the tunnel opening have been shown to be cautious. But the created traffic effect, while almost certain to be significant, is almost impossible to quantify. In the South-east, almost every motorist has his own anecdotal testimony to the M25 effect.

Morton also made the point that the Government decision on public funding for a fast rail link from the tunnel to London has no impact on forecasts. Even if it goes ahead, the link will have no benefit for some years and in present value terms, makes a negligible impact on revenue projections.

TEMPUS

BAT stumbles on some bad luck

AFTER a spell of hardly putting a foot wrong, BAT Industries ran out of luck in the quarter to March as worse-than-expected insurance knock-outs and severely dented investment returns cut pre-tax profits by 27 per cent and net earnings by 36 per cent.

The market shares the view that the first-quarter outcome, with pre-tax profit at £231 million, against £318 million, was bad luck rather than bad management, and, year-on-year, that further profits progress will be seen. However, BAT has some catching up to do, and if earlier year-end forecasts were at £1.92 billion (compared with a notional £1.79 billion) they have now been trimmed to £1.87 billion.

The unbundling goes on, and should be finished later this year, when expected rises in motor premiums should help to arrest underwriting losses at Eagle Star, which totalled £115 million.

With Hylake off its back — final costs of the fight, to be taken in the second quarter, should be below £100 million — BAT is to press ahead with development of financial services interests. Meanwhile,

tobacco generally goes well. One positive aspect of the Hylake affair is that three dividends a year will continue to be paid, and the payment timetable will be shortened. The first interim is to be declared on May 31, and a year's total of 33p net seems likely.

BAT shares, at 64p, down 8p, go ex Wiggins Teape shortly and yield a prospective p/e ratio is 8.6, which puts them on a rating not much better than a pure composite. BAT's share buy-in programme should resume once authority is re-granted shortly. On the view that the shares look cheap, ordinary investors can usefully put them on their buying lists, too.

Bass

THE jury may stay out over its £1.3 billion US purchase of Holiday Inn, but Bass has demonstrated the strength of its core brewing business over here with a 27 per cent rise in operating profits and a near 2.5 per cent jump in volumes.

Its response to the Monopolies Commission has been prompt. Analysts reckon the

vast majority of the 2,400 pubs which must be put at arm's length will be sold, leaving about 4,400. Within that total, the proportion of managed houses looks set to rise from about half.

Bass interim pre-tax profits were a little below best expectations at £247 million, up 10 per cent. The surprise was a sharp rise in interest payments, from £34 million to £71 million, after heavy investment and the Holiday Inns purchase but before the £300 million sale of most of the Crest hotel chain.

More details on Holiday Inns at the seminars planned early next month would be welcome. Until then the shares, selling at just short of 10 times prospective earnings assuming pre-tax profits in the £550 million area, look to be up with events.

Courtaulds

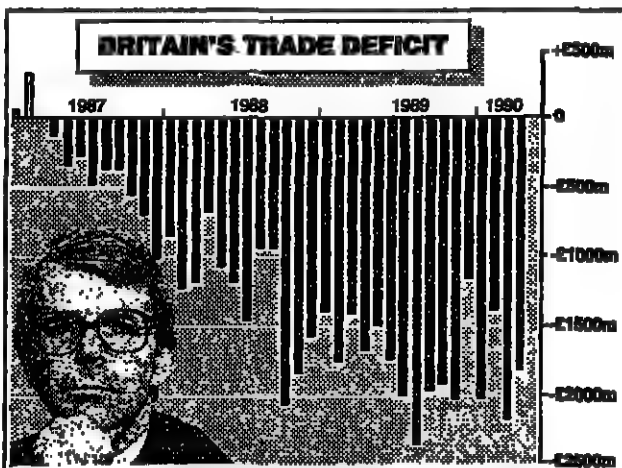
IT IS a shade puzzling why shares in Courtaulds took the announcement of its results for the year to March so badly. After an initial 2p rise to 240p, they swung round to close 10p lower at 328p, after 325p. Yet,

the reported pre-tax profits of £168 million were a full £8 million better than forecast in February in connection with the demerger of its former garment business, Courtaulds Textiles, and earnings topped the expected 31p by a penny.

One theory is that the stock is now followed by chemicals analysts who had misread the runes due to their lack of familiarity with the company. However, surely they could not have expected the forecast by Courtaulds to have been more than 5 per cent off beam just six weeks before its year-end? Equally, while the £23 million benefit from the adoption of SSAP 24 swamps the £8 million rise in profits over 1988-89, this was disclosed at the time of the forecast.

More convincing is the suggestion that the chairman, Sir Christopher Hogg, is lining up a major acquisition to coincide with the withdrawal of Courtaulds from its unremunerative acrylics business. With profits of £187 million and earnings of 35p in prospect, the shares are on a p/e ratio of 9, which is reasonable in view of the company's strong position in fashionable areas.

Never mind the exports, look at the import bill



who have generally supported the Government's strategy. Mr Peter Spencer of Shearson Lehman Hutton, the securities house, called the period of high interest rates "a hug rather than a squeeze," and noted that the squeeze has failed.

Taken literally, this is hardly true. Consumer spending has slowed down considerably since the rapid expansion of 1988. The housing market, which did so much to fuel the boom, has ground to a halt as recent failures among housebuilding companies testify. Yesterday's construction figures reinforce the impression of a continuing slowdown.

Some further tightening of domestic demand is expected to show through during the next month or two as the effect of higher mortgage rates impinges on those borrowers whose mortgages are only raised once a year in April.

But the City is worried that the squeeze on incomes is being gradually relaxed by

high pay settlements which put money back in consumers' pockets. In that sense the peak effect of high interest rates may already have passed.

Some economists, including Mr Spencer, draw the conclusion that there is only one thing left which the Government can do, which is to hitch the pound to the exchange rate mechanism of the European Monetary System. The opportunity for a tighter fiscal policy has passed with the Budget. A further rise in interest rates is practically inconceivable because of its effect on mortgage rates so close to the next general election and because the pound is buoyed up by the imminent prospect of ERM membership.

Foreign exchange markets yesterday were certainly looking more to the possibility of Britain joining the ERM than at the trade figures. Despite a brief reaction when the figures were published sterling quickly recovered to finish the day in London up 0.1 on its

previous close at 89.0, though shares and gilt-edged securities took a dimmer view, ending lower on the day.

A gradual rise in sterling might do more than anything else to head off high pay settlements by convincing companies that they would not be bailed out by a fall in the pound. The Government's commitment to a strong pound is still on trial after the vicissitudes of the past seven months. ERM membership would convince many a doubting industrialist.

Meanwhile it is taking a long time to narrow the trade gap because of the position we are starting from. Import volume may be growing at little more than a quarter the rate of exports. But imports are already substantially more than exports. The result is that the difference between the two is not falling very quickly.

Taking the first four months together, the deficit is running at an annual level of £22 billion — even more in money terms than last year and well above the Budget forecast of £15 billion. Both imports and exports are growing faster than forecast.

In the Budget, the Treasury forecast volume growth in imports during 1990 of about 1 per cent which has so far been turning out at about 3 per cent. For exports, the Treasury forecast growth of 8 per cent which is turning out at 11 per cent.

Expectations have also been upset by invisibles, for which a surplus of 1.5 billion was forecast, rather than the zero figure currently projected by the Central Statistical Office. The first real figures will become available next month.

The immediate outlook for the balance of payments is difficult. If there is any comfort to be derived it is in Britain's export performance. Industry appears to have been more successful in redirecting its output to sales overseas than during previous periods of domestic economic slowdown. Consistent volume increases of more than 10 per cent are better than at any time during the 1980s. There may have been some underlying supply-side improvement and efficiency after all.

Rodney Lord

THE TIMES CITY DIARY

Hard times hit Square Mile

CITY salaries have almost halved, in real terms, during the past two years. So says the head of an expanding securities firm in the Square Mile, who has been looking through dozens of job applications in recent months. He calculates that while salaries for both analysts and salesmen can range from less than £20,000 for a trainee to more than £100,000 for an exceptional performer, someone of average experience and ability is likely to earn a basic salary of about £55,000. "That sum really hasn't changed at all during the past two or three years," he tells me, requesting that he remain anonymous for obvious reasons. "But what has changed is the level of bonuses paid. Before the crash bonuses of 100 per cent or more, of basic salary, were quite common. These days the average figure must be about 25 per cent." That means that gross CITY salaries have fallen from £110,000 to £68,000 — a decline of 42 per cent. But that is very much an average figure. Not all firms, it seems, have the desire or need to thus cut costs. SG Warburg, which has had such a lucrative year in its corporate department — with the restructuring of Gateway alone thought to have netted something like £20 million in fees — that its bonus, due to be declared on June 4, is expected to be between 75 and 100 per cent. And that is on top of the 25 per

cent already paid at Christmas. "Warburg's still has the biggest market share in London, but BZW is snapping at its heels — and it's determined to keep its staff," my informant explains.

BARCLAYCARD, priding itself on being used in more places than any of its competitors, was put to the test recently when a cardholder found himself in a tight corner in Paraguay. Tim Attridge, a farming consultant from Horsham, went to visit an old friend who had been languishing without charge for three years in a jail. Asked for identification, and temporarily without his passport, he presented his Visa card and was instantly allowed in — prompting Barclaycard to claim: "We are accepted in more Paraguayan prisons than certain other charge cards we could mention."

Andy capped

THE slick ad-men from J Walter Thompson, who were signed up last year by Newcastle City Council, to change its "Andy Capp" image for a £1 million fee spread out over three years, have run up against old-fashioned Northern conservatism with their first formal proposal. Putting their proposition to the council, they explained that they planned to make Andy Capp himself the star of the campaign, and to change his flat-cap image. But Capp's Hartlepool creator, Reg Smythe, will have none of it. "There's no way they are

going to turn Andy into a yuppie," he protests. "He was never meant to be a hero, just funny. For Andy to take his cap off would be the same as Maggie Thatcher wearing a mini-skirt."

Dragon man

ST GEORGE must be turning in his grave... for the chairman of a Japanese bank has just been installed as chairman of the City branch of the Royal Society of St George, a fiercely patriotic body whose stated aims include "keeping fresh" the memory of those who have served England or the Commonwealth in the past, and "furthering English interests everywhere." The new incumbent, John Cunningham, aged 63, who runs Nikko Bank in Britain, is quick to point out that the bulk of his career — 40 years — was spent at Coutts & Co, the upper crust British bank. "But the Japanese are very supportive of this sort of thing," he insists. "They will be a bit bemused when I tell them about it, however, and I will probably have to explain who St George is and what he did."

Trying their best

FEW City financiers, no matter how silver-tongued, have not tripped over their own words at one time or another. Anyone who thinks otherwise should speak to the fund managers at Meridian who, clearly with a little time on their hands, and in the front line when it comes to listening

to securities salesmen, have been secretly keeping a diary of what they consider to be the worst stockbroking *faux pas*. Anonymous, to spare their broking colleagues any additional embarrassment, the still-expanding collection includes such gems as: "The average growth is above average" and "The dollar should not be where it is now, it should be somewhere else."

Alarm call

IF VISITORS to W H Smith's head office in Holborn Place, are seen to be looking heavenward before dialling on their mobile phones, it will, for once, have nothing to do with difficulties in obtaining a line. The company has been plagued in recent weeks by a spate of false fire alarms, with one such alarm being raised in the midst of luncheon yesterday, causing the building to be evacuated. Suffering from indigestion, and determined now to track down the cause, an insider tells me it turned out to be some hapless individual who was using his portable phone beneath a smoke detector and inadvertently activating the alarm. "We've already been in touch with British Telecom and various other experts but none of them can explain exactly why this occurs," says my source. "We are now having to advise everyone who enters the building to check the ceiling before using their phones."

Carol Leonard

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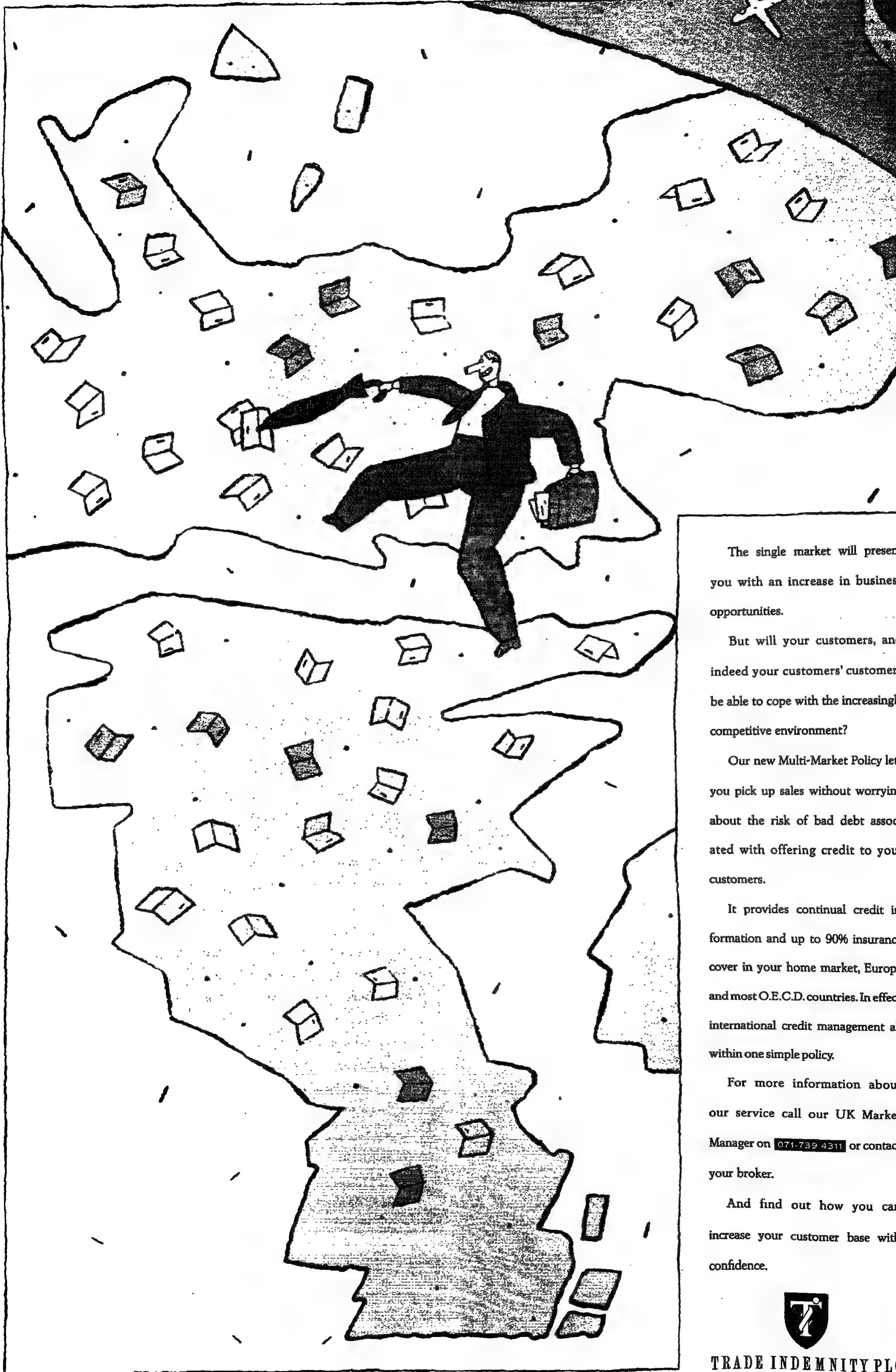
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Japanese consortium aims to launch into space race

From JOE JOSEPH, TOKYO

A CONSORTIUM of some of Japan's largest industrial and electronics companies has been formed to compete for a slice of the world's satellite launch business.

Its aim will be to take part of Japan's fledgling space industry out of government hands, and eventually to compete with the established agencies like France's Arianespace and others in America, the Soviet Union and China.

Rocket Systems, the tentative name for the new consortium, will be incorporated on July 5 under the leadership of Mitsubishi Heavy Industries, Japan's biggest aircraft manufacturer. It expects its first launch in 1993.

But Mitsubishi admits that the competition is stiff and

that Japan's likely challenger will probably be pricier than its rivals.

But Japanese companies, who presently use Ariane rockets, made by Arianespace, for their satellite launches may switch to the home-made rival. The recent explosion over the Atlantic of an Ariane rocket carrying two Japanese communications satellites may have accelerated the decision to form the consortium.

Analysts in Tokyo expect the demand for commercial satellite launchings in the second half of the 1990s to be 15 to 20 a year.

Rocket Systems is pinning its fortunes on the home-grown H-2 rocket, the centrepiece of Japan's bid to join the elite club of nations with independent space technol-

ogy. The H-2's predecessor, the H-1, was a McDonnell Douglas clone.

But all has not gone well with the H-2. An engine test late last year that burned down the test centre was the latest of a string of embarrassing hitches.

However, if it does get off the ground in 1993 as planned, the H-2 will be able to put into orbit satellites weighing up to 2.2 tonnes — the same as Ariane 4 and competitive with the 2.4 tonnes of the US space shuttle.

The move into commercial satellite launching is part of Japan's growing interest in the space business.

Japan's space programme started in 1955 with a 12-inch rocket that flew to a height of 600 yards. But over the past

five years it has earned credit for its work analysing Halley's Comet and later this decade it is due to join Space Station Freedom, the international project led by the US.

In March, Japan joined the US and Soviet Union in sending a spacecraft to the moon. Japan's basketball-sized satellite was the first to visit the moon since an unmanned Soviet craft landed on the surface in 1976.

But Japanese scientists are still working with limited funds — Japan's annual space budget is less than one-tenth of America's. However, the money being made available is growing fast. Last year the government finally sanctioned long-term development of an independent manned space programme.

OFT to compare competing insurance schemes House warranty inquiry



Public first: Sir Gordon Borrie, Director General of the Office of Fair Trading

A MONOPOLIES and Mergers Commission inquiry into warranty schemes for new houses has been ordered by Sir Gordon Borrie, the Director General of Fair Trading.

Sir Gordon said that he wanted to ensure the public interest is being served by the present arrangements for the two existing warranty plans on offer to buyers of new homes.

The two schemes to be examined are Buildmark, issued by the National House Building Council, and Foundation 15, available from a subsidiary of Municipal Mutual Insurance.

The Office of Fair Trading said its main concern centres

on a National House Building Council rule.

"Builders registered with them [the council] must submit all their new homes — with some minor exceptions — for the Buildmark scheme."

"If they want to try a competing scheme they must either do so in addition to Buildmark or deregister from the council and not use the Buildmark scheme at all."

Sir Gordon said that he wanted to make it clear that this reference is not an attack on the principle of house warranty schemes.

"A house is the most expensive purchase a consumer is likely to make and if the house is newly-constructed there is a

clear need for the buyer to have the assurance it was built to good standards, was independently inspected and there will be protection if structural problems nevertheless develop," he said.

"But it is important alternative schemes should be able to compete."

The National House Building Council welcomed the investigation.

Mr Basil Bean, the chief executive, said: "The council has been quietly doing its work with such success that few now remember the early 1960s when a huge public outcry about the quality of house building led to debates in Parliament."

Trimoco results halved to £3.8m

By MARTIN WALLER

THE hard times in the motor trade are highlighted by pre-tax profits from Trimoco virtually halved in the year to end-March from £7.51 million to £3.81 million.

But the company, which is about 25 per cent owned by Jameel Group, the new Saudi Arabian owner of Hartwell, the car dealership, is maintaining its full-year dividend at 1.4p with a final of 0.8p.

There is no sign of an upturn yet for the industry. "The feeling is very strong that it's going to be a bad summer," said Mr Duncan Naughton, development director.

Trimoco is already seeing orders for August delivery, when the next set of number plates are issued, indicating that some customers are deferring their purchases.

The worst damage during the last year was done by higher interest payments, which almost doubled from £2.21 million to £4.16 million. These in part related to the decision to buy in the group's leasehold properties during the previous financial year.

Trading profits from the automotive division fell from £7.27 million to £6.17 million, while property earnings were down from £2.44 million to £1.79 million. Included in this last figure was about £500,000 decline from about £1.4 million last time.

Mr Roger Smith, the chairman, said the group continued to trade profitably from almost all its outlets.

The shares, depressed along with most other motor dealers' by the Monopolies and Mergers Commission inquiry into the industry, were unchanged at 17½p.

Loan rates 'hit plans to invest'

HIGH interest rates have curbed investment by small companies to the greatest extent since 1979, according to a survey by the Confederation of British Industry. About 27 per cent of smaller companies have cited the cost of finance as the main restraint on investment spending.

Mr Tom O'Connor, chairman of the CBI's Smaller Firms Council, said that continuing erosion of business confidence had an adverse effect on investment intentions. Of 700 companies questioned, 35 per cent were less optimistic, with only 14 per cent more optimistic.

Nobo stock falls

Shares in Nobo Group slumped 47p to 125p after the visual aids and office equipment manufacturer had terminated talks that might have led to a full bid.

Bett's setback

Pre-tax profits in Bett Brothers, the property developer, fell from £1.6 million to £1.3 million for the six months to February. The half-year dividend rises from 1.85p to 2.10p, out of earnings down from 6.61p to 6.51p.

Ambrit loss

Ambrit International, the oil and gas group, made a pre-tax loss of £1.3 million for the year to December — similar to the previous year's loss. Again, there is no dividend.

Profits slip

Ferry Pickering, the packaging group, saw pre-tax profits slip to £1.16 million (£1.3 million) in the half-year to February on sales of £13.9 million (£9.8 million). The interim dividend stays at 2.1p.

Architect down

Tribble Harris, the architect, saw pre-tax profits fall from £2.6 million to £1.16 million in the year to November. The total dividend is held at 3.2 cents out of earnings of 6.37 cents (loss of 9.14 cents).

Analysts expect further falls in US commercial property

From PHILIP ROBINSON, IN LOS ANGELES

THE state of the US commercial property market will deteriorate before improving, according to analysts studying the credit downgrading of Citicorp, America's largest bank.

Mr Burland East, property analyst with Bateman Eichler Hill Richards, the Los Angeles broker, said: "New England, where Citicorp has the most exposure, has not yet hit the bottom. The state has had a liquidity crisis and several banks have had to be rescued by the Government. Values are falling and people just can't sell what they've got in an attempt to cover their debts."

Four states have been hit by falling values of offices, shops

and factories. Many of the developments were funded by the now collapsing Savings & Loans institutions — the equivalent of British building societies — during the unregulated boom era of former President Ronald Reagan.

Texas is now thought to be over the worst, the market in Arizona has bottomed and California is flat, but analysts say New England has the worst problem. As a result, the US Government has needed to rescue a number of state banks and valuations of property-backed loans of even the largest banks have been reviewed.

Moody's Investors Service, the leading credit analyst, dropped the rating on \$37.4

billion worth of Citicorp's corporate and guaranteed debt on Tuesday, a severe blow to the bank's prestige and a move that will also cost it substantially more in borrowing costs.

Moody's said it believes Citicorp is vulnerable to the deteriorating national property market.

Banks have already been told to tighten what they lend to the property sector, thus starving developers of further cash.

But they are presently unable to sell properties when they foreclose on loans.

"It's like having a shirt with two left arms. It doesn't matter how cheap it is, it is only of use to someone with two left arms," said Mr East.

£1.5bn ANZ bank merger ruled out

By NEIL BENNETT, BANKING CORRESPONDENT

THE Australian Government has blocked the Aus\$3.4 billion (£1.54 billion) merger between the Australia and New Zealand Bank and National Mutual Life, the country's third largest bank and second largest life insurer, on competition grounds.

Mr Paul Keating, the Treasurer, said: "It is vital for the efficient application of the nation's savings that there should be a reasonable diversity of institutions."

"It is not sensible to leave the promotion of competition to market forces alone when there are pressures towards undue concentration."

Australia would be better served by the independence of its six or seven largest banking and insurance groups, although the Government did not wish to keep the two businesses entirely separate.

The deal depended on Mr Keating's approval. ANZ's acquisition of National Mutual

Royal Bank in March looks, the first stage of the deal, looks likely to be reversed.

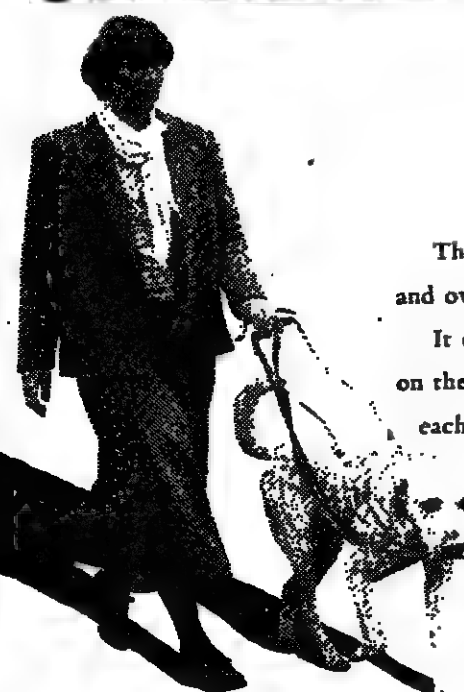
ANZ's shares rose 20 cents to Aus\$4.90 on the news. Dealers had been worried that the merger would force ANZ into a rights issue. Analysts suggested that National Mutual may look at ways to gain an independent listing.

Mr Will Bailey, ANZ's chairman, said he was disappointed by the decision. "The merger has been based on a great deal of careful analysis, and was expected to produce very substantial benefits for shareholders, policyholders, bank customers and for federal taxation revenue."

The suggestion that the merger would limit competition was "simply not true."

ANZ's interim figures to the end of March showed net profits before abnormal items 3 per cent lower at Aus\$310 million. The dividend remains at 22 cents.

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COMPANY INVESTIGATIONS

Reforms in DTI's methods urged

EXTRACTS from the Trade and Industry Committee report on Company Investigations.

INTRODUCTION

A VITAL factor in the success of any developed economy is the soundness, clarity and effectiveness of the laws and rules governing the proper operation on the financial markets and the running of companies. Without confidence in their integrity, the efficiency of those institutions will be undermined. Laws and rules that are not, for one reason or another, enforced bring the system into disrepute. The Department of Trade and Industry is largely responsible for the policing of company law, though other bodies, such as the Bank of England, have specific duties. The Committee has inquired into how the DTI carries out that task.

TIMESCALE

The average time for completion of a basic fact-finding (5447) inquiry was 105 days in 1988-89 against a target of 92 days. For insider dealing cases it is 11 months. For a major investigation the average time is two years and four months. These delays have been described as "scandalous".

The DTI has acknowledged that past cases took longer than they would have liked. Recent cases have been dealt with more quickly.

Apart from delays in setting up an inquiry, there are a number of reasons for the time it takes.

- Difficulty in arranging interviews with witnesses.
- Witnesses abroad.
- Barrister in court.
- Overseas link in the affair.
- Abuse by witnesses of right to see criticism.

DTI officials told us: "There is a tension between speed and fairness" but "A lot has been done to remedy the delays." The House of Fraser inspectors reported "in the closing stages of our inquiry we were very conscious of [these] competing pressures." It is the DTI's intention never to allow cases to go on as long in future. We consider this important for the interests of innocent parties and to satisfy both domestic requirements (such as the time limit on damages) and overseas statutes of limitation.

Among the measures being taken are the more flexible powers in the Companies Act 1989 to discontinue an inspection (section 57), to appoint inspectors on the basis that their report will not be published (section 55), to co-operate more with overseas regulators (sections 82 and 83) and to order partial reports (section 57). These provisions came into effect on February 21 1990. Delays in producing reports have been unacceptable long in the past. They have brought the whole system of Companies Act inspections into disrepute and have been an important reason for the Companies Act 1989.

In insider dealing cases, we have been told that the prospects of a successful prosecution are reduced by a long interval between the dealing and the trial. The DTI says, on the basis of slim experience of insider dealing prosecutions, that the chances of a conviction are greater if inspectors have been appointed.

We recommend that inspectors appointed to carry out major investigations should be expected to report within 12 months.

We recommend that insider dealing inspectors be expected to report within three months.

NATURE OF REPORTS

Should inspectors just find facts or should they also draw conclusions? The Secretary of State has a fairly open mind. At present inspectors do identify individuals for criticism, but are encouraged by the DTI to do so in moderate terms.

The Bank of England and the Securities and Investments Board told us that in their view inspectors should establish fact rather than make judgements. Employers and regulatory bodies would then decide whether an individual's conduct was in breach of the standards expected in his profession. The inquiry process would be speeded up, because inspectors would not have to spend time consulting witnesses about possible criticism of them. Published reports would not lambast individuals without any apparent remedy.

Most of our evidence points the other way. Unless conclusions are drawn, lessons may not be learnt and remedial action may not be taken. It was pointed out to us that one of the reports on the DTI's handling of the Barlow Clowes affair was prevented by its terms of reference from attributing blame, drawing conclusions or making recommendations. This made it more difficult for those reading it to judge who was responsible for mistakes. The County NatWest and House of Fraser reports would be meaningless to the lay reader (including the Secretary of State) to whom they are addressed unless some conclusions had been drawn.

If a report does not identify those to blame for some misconduct, it will also fail to exonerate others involved whose actions were blameless. The wholly innocent may be tarred by association with events for which inspectors would not hold them responsible. We note that officials and ministers at the DTI were largely exonerated by the HoF inspectors, when a mere statement of the facts might have led the reader to a different conclusion.

We would not expect anyone criticized in an inspectors' report to be happy about it.

Some custodial sentences would send a strong message that insider dealing is not acceptable conduct

DTI officials told us of the tension between speed and fairness.

It has been suggested that there should be a mechanism for appeal against criticism in reports. Regulators, employers and prosecutors may listen to contrary arguments before deciding whether to take action of the criticism. Ultimately the only resort for the aggrieved subject of criticism is the courts by way of an application for judicial review. We note that those involved in the HoF case were given a specific opportunity to make such an application prior to publication of the report.

We recommend that inspectors should continue to draw conclusions from the evidence they take.

We recommend that inspectors should make recommendations about whether some action should be taken against individuals and any remedial steps to prevent similar events occurring.

We recommend that inspectors' recommendations for prosecution or disciplinary action by employers or regu-



Report surprised at Bank of England delay: Mohamed Fayed outside Harrods, part of House of Fraser

latory bodies in respect of individuals should be contained in a separate appendix to their report.

We recommend that the Handbook of the Companies Inspection System be amended to advise inspectors to serve on all those to be criticized in a report the substance of that criticism, with a deadline for response of 21 days and that any response received which the inspectors do not accept should be published as an annex to their report.

We recommend that witnesses should be provided with a copy of the transcript of their evidence.

PUBLICATION

The reasons for not publishing reports are that publication might hamper investigation of crime, prejudice a fair trial, publish defamatory statements or advertise a novel fraudulent practice. In the recent cases of County NatWest and HoF the first two factors were relevant; the County NatWest report was published soon after completion; the HoF report was not.

We consider that the danger

of publishing defamatory statements would be avoided if inspectors exercised restraint in the tone of their criticisms. Lord Alexander told us "we must not over-emphasize the risk to a fair trial of the publication of reports." We would expect the DTI to move quickly enough in future to forestall any novel fraudulent practice revealed by a report before a fraudster hurrying from the Stationery Office with his newly-acquired copy of a report could benefit from the practice, apart from the practical problem that a report can leak long before it is published.

This leaves one circumstance in which publication might be prejudicial to the ultimate public interest: when criminal investigations have started during the inspector's work and might be hindered by completion and publication of the report. On the other hand completion of the report may be hindered by the criminal investigation. This was broadly the situation for Companies Act inspections of Guinness and Barlow Clowes.

The DTI point out that the proportion of cases in which inspectors have been appointed has increased significantly over the last five years. Half of the prosecutions (and half of the convictions) which have taken place since 1980 occurred in 1989. The DTI

seemed to attribute this to an improvement in the quality of the evidence. They also said that cases in which inspectors have been appointed have resulted in more successful prosecutions than those which have not.

The bare figures for the UK show little investigatory activity in the years after the offence was first introduced and then consolidated, followed by an apparent burst of effort in the last two years. This is a decade after the criminal offence was created. Between 1980 and 1986, it is thought that the Stock Exchange referred about 100 cases to the DTI but only nine prosecutions resulted.

There is no doubt that insider dealing is a difficult offence to prove. It is also the case that the prospects of a successful prosecution are improved by the appointment of inspectors but diminish with time. For these reasons we are astounded that it takes the DTI as long as six months to appoint inspectors. We conclude that the DTI's record over the past 10 years shows dilatoriness in enforcing the insider dealing law.

The experience of recent cases certainly points to the inadequacies in the law and inexperience among both prosecutors and courts in dealing with cases.

We welcome the Government's proposal to simplify the law on insider dealing. We do believe however that more consideration needs to be given to the possibility of civil remedies or sanctions for insider dealing.

To date, no one has served a prison sentence for insider dealing. One suspended sentence has been imposed. In six of the eight convictions secured by the end of November 1989, it is estimated that the fine exceeded the profit made or the loss avoided. While the prospects of detection and prosecution may act as a deterrent, we do not consider that the penalties actually imposed do serve to dissuade people from insider dealing.

We see no reason why loss of livelihood and reputation should be seen as an alternative to imprisonment. Some custodial sentences would send a strong message that insider dealing is not acceptable conduct in the City or elsewhere.

Giving the Stock Exchange inspectors the powers of inspectors could save time and thereby secure more convictions.

We conclude that in such circumstances the public interest lies first in bringing individuals to court before completion and publication of the report.

We recommend that all major investigations reports be published as soon as possible, not least on account of their effect on markets and trading.

We recommend that normally only the appendix recommending criminal proceedings or disciplinary action should not be published.

We recommend that publication should be delayed only in cases where a criminal investigation has begun before completion of the report and where it would be hindered by publication.

INSIDER DEALING

Insider dealing is important not just as one aspect of commercial malpractice. It demonstrates the DTI's responsiveness to new problems in enforcement. Insider dealing has been a criminal offence since 1980. Where incidents of insider dealing are detected, it is usually by the Insider Dealing Group of the International Stock Exchange.

They study share-dealing prior to price-sensitive announcements. Acting on this analysis or on information received, they conduct a preliminary investigation. If evidence of insider dealing is found, the case is passed to the DTI. The DTI can:

- Decide to appoint inspectors under section 177 of the Financial Services Act 1986;
- Prosecute without appointing inspectors;
- Authorize the Stock Exchange to prosecute (a new power under section 209 of Companies Act 1989);
- Take no further action (but inform other regulators).

Since 1980, there have been 10 convictions for insider dealing (one of which was overturned on appeal). The ISE has conducted about 240 inquiries since May 1988 and has passed about two a month to the DTI. Since 1985 101 cases have been transferred in this way; inspectors have been appointed in 41 cases; there have been 19 prosecutions and 10 convictions.

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There appear to be two ways within the existing system of law in which greater use could be made of civil penalties. One is the possible use of section 61 of the FSA. This enables the DTI and SIB to bring an action for breaches of the conduct of business rules. This action may seek an injunction and/or an order for disgorgement of profits. It has been suggested that insofar as the conduct of business rules address insider dealing as a specific regulatory offence, in appropriate cases, this provision could be used to deprive an authorized person who has engaged in insider dealing of his profits. This would however not cover many individuals, such as company directors, who have the opportunity to deal as insiders.

Another form of civil remedy would be for legislation to give the prosecuting authorities the power to sue someone for insider dealing as an alternative to prosecuting them. There would be a lower standard of proof and the penalty could be a multiple of the profit gained (or loss avoided) from the insider

dealing. A system such as this operates in the USA, but is founded on a different system of law. In some jurisdictions the law gives the company in whose securities the insider abuse occurred a right of action against the persons responsible. Where this right is not pursued by the company the action may be brought, on its behalf, by a shareholder.

We recommend that consideration should be given to amending the law so that a similar provision applies as in the Prevention of Corruption Act 1909 in which the onus of proof switches to the defence if the court is satisfied that a prima facie case has been established.

A procedure analogous to that used by the Inland Revenue, especially for Stamp Duty, could be used. When the DTI has received a report from the Stock Exchange on insider dealing it could require the person concerned to answer questions (subject to the normal protections). On the basis of these a statement of facts could be served on him. If he did not dispute them he could pay a fixed penalty. If he

disputed them, he could appeal to the courts, which would have the option of imposing a larger penalty. We believe in practice that most cases would be settled at an initial stage.

We recommend that consideration should be given to attacking insider abuse in the UK not merely under the Company Securities (Insider Dealing) Act.

The DTI has a poor record on insider dealing, but is showing signs of improvement. What is particularly alarming is its speed of response to a new offence. The DTI's regulatory record in dealing with new developments is not impressive. If it takes 10 years to start to get to grips with one new offence, what can be expected of it as new schemes of commercial malpractice are invented?

We recommend that all insider dealing cases should for the time being be tried before Queen's Bench Division judges experienced in commercial law at a specified court.

We recommend that the DTI should decide within 21 days of cases being referred to them by the Stock Exchange whether (1) to appoint inspectors or (2) to allow the Stock Exchange to prosecute.

We recommend that steps be taken to introduce civil law sanctions against insider dealing.

EXPENDITURE

The total cost of DTI investigations in 1988-89 was £6.2 million, although the costs to DTI investigations are met by monies voted by Parliament, the income from Companies House fees and charges are set to recover the costs arising from the regulation of companies, including the costs of investigations.

A major investigation is expensive: the three major investigations completed recently each cost between £1.1 and £1.6 million. £2.9 million was spent in this way in 1988-89. An insider dealing investigation costs on average £100,000. £1.4 million was spent on this in 1988-89.

The DTI has limited powers to recover the costs of inspections under the Companies Act 1989 but does not expect

to recover much.

We recommend that greater steps be taken to recover the costs of investigations from the companies and individuals, unless the inspectors find no evidence of wrongdoing.

DTI

Much of our evidence relates to events which occurred before the implementation of the Financial Services Act 1986, the creation of the Serious Fraud Office in 1988 and the enactment of the Companies Act in 1989. While these recent developments have significantly changed the situation, we are not convinced that they make the lessons of the past irrelevant or guarantee good performance in the future.

There are indications that the DTI's performance is improving.

The DTI's general reputation among interested parties and observers has not improved. Rarely can a government department's discharge of its responsibilities have been held in such low esteem among others involved.

This reputation in itself undermines the effectiveness of the UK regulatory regime.

Ultimately, the DTI's performance in securing the efficient operation of free markets is a matter not of powers and resources but of attitude. Our initial conclusion that the DTI's attitude was improving has been confounded by the lack of action taken against the Fayed following publication of the HoF report.

PROPOSALS

We recommend that broader public interests than just the duties of directors and the rights of shareholders should be reflected in company law and the way in which it is applied.

The permission for auditors to disclose confidential information to the supervisory authorities should be raised to the level of a statutory obligation.

Obligations should be imposed in the UK on intermediaries to exercise reasonable care to ensure they do not facilitate dishonest transactions.

The employment within the DTI of some high-calibre individuals capable of conducting investigations, assisting other regulatory bodies and overseeing training and legal advice.

The DTI should require inspectors whom it appoints for Companies Act inquiries to devote at least three-quarters of their professional time to the inquiry.

The DTI continue to use accounts and barristers as outside inspectors appointed for specific inquiries and that greater use be made of others with professional expertise in particular cases.

Properly qualified, experienced and suitably paid senior DTI staff should be used more extensively in tandem with one outside inspector.

The Handbook of the Companies Inspection System should be updated annually to give more information on conduct of investigations.

The Government take steps to establish through OECD a database of commercial malfeasances and designate a UK regulatory body (such as the DTI) as the leading agent to ensure co-ordination.

A central clearing house be established to (1) track all cases dealt with by different regulatory bodies; (2) maintain a database of people convicted (or otherwise publicly censured), for commercial malpractice, fraud, insider dealing, disqualification as directors etc; (3) supply information to other authorities abroad.

The DTI monitors closely the performance of the SIB and SFOs in discharging their investigatory duties and reports annually to Parliament.

Regulatory bodies and employers should report to the DTI within a prescribed time the action they have taken.

The DTI should place a higher priority on improving the qualifications and breadth of experience of its own investigatory staff.

The Government take steps to develop a cadre of professionally qualified and skilled investigatory staff to support major investigations and work in regulatory bodies.

The Government do more to encourage accountants and solicitors firms to second skilled staff to regulatory agencies.

When legislation on company law is next put before Parliament, the investigatory powers should be reviewed, updated if necessary and consolidated.

It is highly disingenuous of the DTI's evidence to use this excuse for not seeking an amendment to the law when the Secretary of State has prevented such a course being followed by not referring the case to the court.

We believe that if the company investigation system is to work properly, there should be effective sanctions against those who mislead inspectors. Disqualification as a director is one option, but would not cover all individuals. Mr Ridley did not accept the inspectors' recommendation that punitive sanctions should be made available in the event that false information is furnished to inspectors. The reason given is that section 1 of the Perjury Act 1911 covers such an eventuality. We conclude that the sanctions against misleading inspectors are inadequate.

We recommend that company law be amended to provide that (1) If inspectors report that directors have given false information to them, the Secretary of State should automatically apply to the court for their disqualification; (2) Knowingly or recklessly misleading inspectors should be made an offence.

We recommend that the Secretary of State should report within two months on the action taken by the various bodies to whom he sent the HoF report.

Courts should have ruled on Fayed's fitness as directors

HOUSE OF FRASER

WE have been greatly concerned at the lack of government action following publication of the inspectors' report on HoF. The acquisition of HoF took place in 1984 and 1985 when Mr Norman Tebbit, MP, was Secretary of State for Trade and Industry. The next Secretary of State, Mr Leon Brittan, MP, refused to appoint inspectors in 1985. Inspectors were appointed on 9 April 1987 by Mr Paul Channon, MP. They reported on 27 July 1988 to Lord Young. Their report was published on 7 March 1990 by Mr Nicholas Ridley, MP. Thus five successive Secretaries of State were involved.

When the inspectors reported and when their report was published there were five ways in which action could have been taken.

- Prosecution of individuals for criminal offences;
- Reference of takeover of HoF by the Fayed to the Monopolies and Mergers Commission;
- Implementation of recommendations by the inspectors for changes in the law;
- Disciplinary measures by regulatory bodies; and
- Disqualification of directors.

We have considered what steps have been taken under these headings.

We understand that, had sufficient corroborative evidence been available, charges might have been brought against the Fayed brothers under section 15 of the Theft Act 1968, section 5 of the Perjury Act 1911, section 1(1) of the Prevention of Corruption Act 1906, section 3 of the Forgery and Counterfeiting Act 1981 and the common law offence of conspiracy to defraud. Mr

Ridley told us "corroborative evidence to prove these criminal offences has not been forthcoming."

In the absence of such evidence, the prosecuting authorities appear to us to have had no alternative than to drop the case when they did.

For a period of six months from July 1988 when he received the inspectors' report the then Secretary of State, Lord Young, could have referred the Fayed's acquisition of HoF to the MMC. He had the power to do so under the Fair Trading Act 1973. In exercising his discretion, Lord Young, followed the advice of the Director General of Fair Trading. If a reference had been made and if the MMC had decided that there was an adverse effect to the public interest arising from the merger the Fayed could have been ordered to divest themselves of their shares in HoF.

By deciding in the second half of 1988 not to refer the case to the MMC, Lord Young deprived himself of the most potent weapon available to him to respond to a manifest breach of the UK regulatory system. At that time he must have been aware of the factors which could lead to the subsequent decisions not to prosecute the Fayed and not to seek their disqualification as directors. Divestment of their shares in HoF was probably the most likely and effective way of dealing with their conduct.

In the light of the misinformation concerning the financial status of the Fayed brothers we conclude that Lord Young would have been prudent to exercise his power in late 1988 to refer to the Fayed's acquisition of HoF to the MMC.

We commend the DTI's speed in implementing almost all of the inspec-

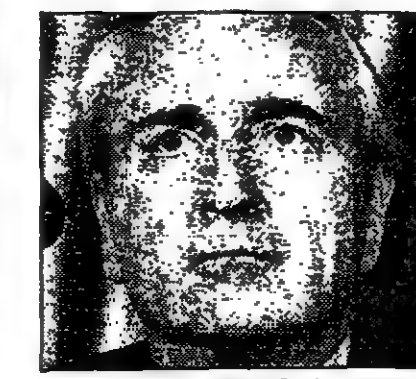


Tebbit: first Secretary of State

tors' recommendations on changes to company law. These go a long way to prevent a repetition of this situation and also demonstrate the willingness of UK regulatory authorities to respond quickly to new threats to the integrity of UK markets.

To some extent the inspectors' report called for steps to be taken by regulatory bodies other than just the DTI. Copies of the report were sent by Lord Young in the summer of 1988 to the Serious Fraud Office, the Director of Public Prosecutions, the Bank of England, the Takeover Panel, the Inland Revenue, the Office of Fair Trading, the MMC and the Metropolitan Police. Copies were also sent, following publication in March 1990, to the Law Society, the Securities and Investments Board, The Securities Association and Fimbra.

The regulatory authorities concerned with the conduct of individuals and firms have submitted some evidence to us but no specific action has yet been taken. The Bank of England is reviewing the authorization of the Fayed as fit and



Lord Young: prudent to act

proper persons to control Harrods Bank. In view of the fact that the Bank of England received a copy of the inspectors' report in August 1988 we do not understand why this review should take so long.

Mr Ridley expects to liaise with these other regulators and will report to the House on what conclusions they have come to. We accept that this is the proper course of action under the law. The response of these regulatory authorities will be a demonstration of the effectiveness of the UK's mixed system of statutory control and self-regulation. We await the results with interest.

Following publication of the HoF report, the only remaining power available to Mr Ridley to deal with the facts disclosed was to seek disqualification of the Fayed as directors under section 8 of the Company Directors Disqualification Act 1986. Mr Ridley told the House on 7 March 1990: "I have concluded that it would not be in the public interest to do so."

The Company Directors Disqualifica-

tion Act 1986 gives the Secretary of State power to apply to the court for the disqualification of a director. He can do so if it appears to him expedient in the public interest, following an inspectors' report. The court can disqualify a person where "it is satisfied that his conduct in relation to the company makes him unfit to be concerned in the management of a company."

The Secretary of State's reasons seem to stem from his interpretation of the Act that a court would consider only the nature of the current management of a company as grounds for disqualification. He said in evidence:

"Where I am satisfied that the conduct of the director in relation to the company he is managing - I have added those words - makes him unfit to be concerned in the management of a company, that is the criterion."

We believe that this construction should have been tested in court.

We therefore conclude that the question whether the Fayed should be disqualified as directors should have been put to the courts to decide. There the merits of the case would have been argued in public and decided on the basis of the law. By not applying to the court the Secretary of State blocked off the one remaining means by which some penalty could have been imposed on the Fayed for their conduct.

The contradictory position adopted by Mr Ridley on the question of disqualification is illustrated by the failure to implement one of the inspectors' recommendations for a change in the law. The inspectors recommended that: "The giving of false evidence to Companies Act inspectors ought to be made in itself a sufficient reason for dis-

qualification of directors under modern legislation."

The DTI response is that such conduct could already be taken into account by the court in determining a person's fitness. But the court can only take such matters into account if the Secretary of State decides to apply to the court.

It is highly disingenuous of the DTI's evidence to use this excuse for not seeking an amendment to the law when the Secretary of State has prevented such a course being followed by not referring the case to the court.

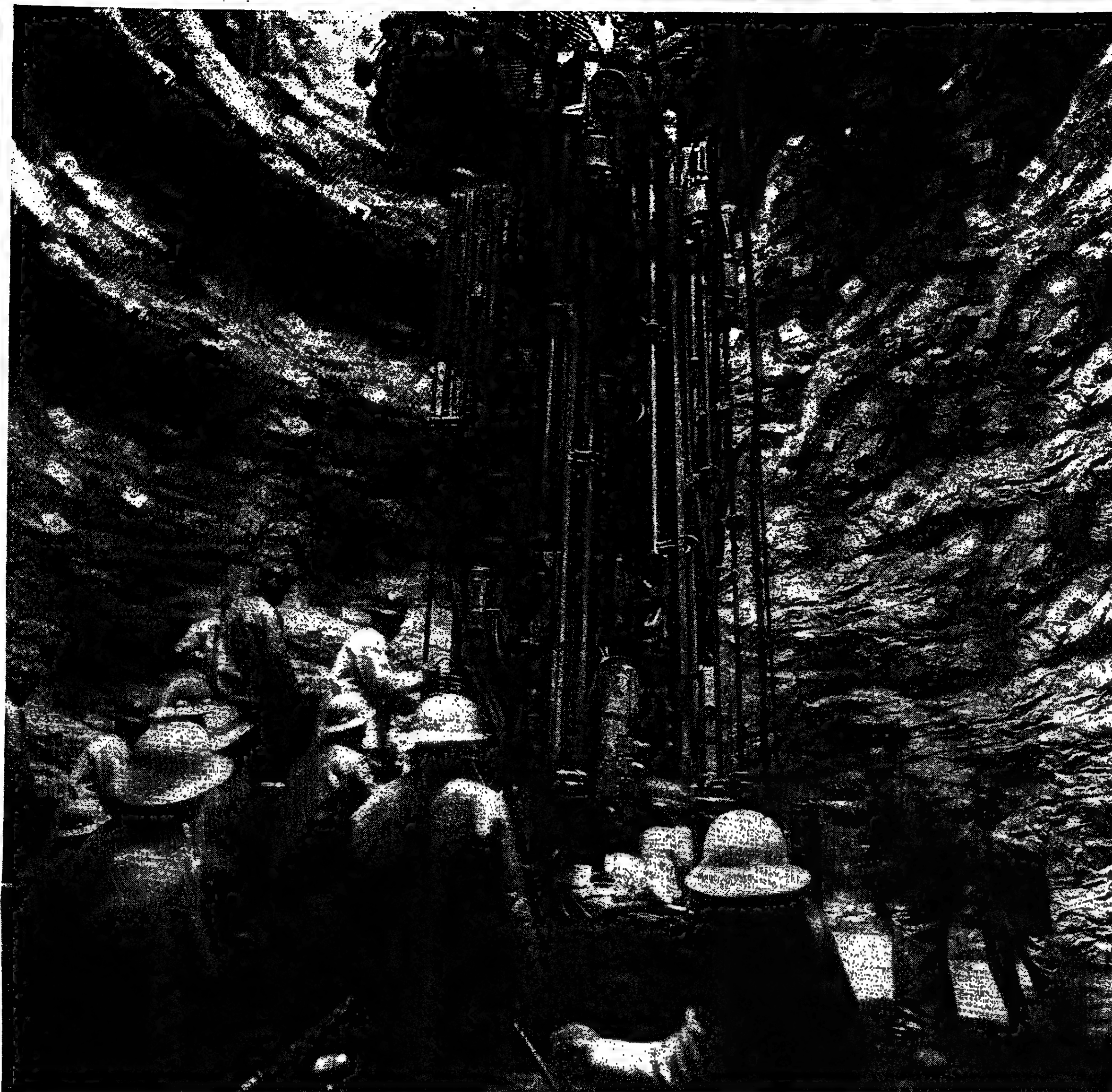
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HOW TO



Drilling is about to commence in this picture of shaft-sinking 1800 metres below the earth at Vaal Reefs' No. 10 shaft.

HOW DEEPLY IS ANGLO AMERICAN COMMITTED TO THE FUTURE OF SOUTH AFRICA?

Very deeply indeed. Nearly two and a half miles deep. This is where, as any miner will tell you, the rocks 'talk,' warning them of what they fear most - rockbursts.

Gold is increasingly being mined at such depths. The challenge is to make its extraction safe and efficient.

Where once miners listened to the rocks, today we have developed sophisticated seismic probes, planted deep into the rock and linked to a computer room on the surface, to detect the slightest tremor.

This is one way Anglo American leads the world in deep level mining technology, expertise which it exports across the globe.

Two and a half miles below the surface, fierce heat is also a constant problem. Here rock reaches temperatures of up to 63°C, hot enough to burn the skin when touched.

To combat this, we have created the largest refrigeration plants in the world, using chilled water and ice

to cool the air and make conditions bearable for the miner to work in.

As well as pioneering mining technology in our present mines, we haven't stopped looking for gold. This year, Anglo is spending R200m. on prospecting for gold in South Africa alone.

You might think that after over a century of mining, gold in South Africa would be running out. On the contrary, we believe that its potential reserves far exceed any known deposits in any other country.

Our activities extend far beyond our gold mines. Anglo American is South Africa's biggest group of companies - with interests that range from diamond, coal and platinum mining to paper, steel, farming and financial services.

We create wealth for our shareholders, and for our workers and their families - a total of

1,500,000 South Africans of all races and colours.

All this shows how deeply rooted we are in South Africa. We intend to stay there and continue investing there. From now until the end of 1992, capital investment should exceed R8 billion.

(In the case of Vaal Reefs, we're planning now for the year 2030.)

But as well as striving to build an economic future, we are also committed to a just, non-racial society within South Africa.

Which is why we will go on investing in its people, funding multi-racial schools and universities, skills training at technical colleges, health clinics and hospitals.

We will continue to encourage share and home ownership amongst our employees. We will help more small businesses by identifying goods and services they can supply.

For by creating not just wealth but opportunity, we can help move towards a fairer, more prosperous, post-apartheid South Africa for us all.



ANGLO AMERICAN CORPORATION OF SOUTH AFRICA

IF YOU'D LIKE TO KNOW MORE ABOUT WHAT WE'RE DOING, PLEASE WRITE FOR OUR FACT BOOK TO: AAC, DEPARTMENT NO. T105, PO BOX 43, LONDON EC1P 1AJ. ALLOW 28 DAYS FOR DELIVERY.

[illegible]

Account

FOREIGN EXCHANGES

Account

Spot Silver: \$5.22-5.24 (\$3.60)

UDON FINANCIAL ELITE

Account

ON FOX
AMT Futures
AMT 000000

Mar 984-982	(2/tonne)	Cash	3 me
May 986-988			
Jul 1074-1013			

Vol 09/12	Copper Gds A	1803.0-1804.0	1518.0
AMT Futures	Lead	489.0-490.0	487.0
Jan 09/12	Zinc Gds M	1724.0-1725.0	1724.0

Mar 705-702	Tin*	1734.0-1736.0	1687.0
May 722-719	Aluminum H*	6410.0-6420.0	6520.0

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C Consultant
Vol. 1993

**LONDON MEAT
FUTURES (lb/cwt)**

Live Pig Contract		Ar'ga tatatoci	
Mth	Open Close	man	
Jan	100.00 100.00	100.00	100.00
Feb	100.00 100.00	100.00	100.00
Mar	100.00 100.00	100.00	100.00
Apr	100.00 100.00	100.00	100.00
May	100.00 100.00	100.00	100.00
Jun	100.00 100.00	100.00	100.00
Jul	100.00 100.00	100.00	100.00
Aug	100.00 100.00	100.00	100.00
Sep	100.00 100.00	100.00	100.00
Oct	100.00 100.00	100.00	100.00
Nov	100.00 100.00	100.00	100.00
Dec	100.00 100.00	100.00	100.00

0.40	Sp	113.25	Jun	130.3	131.8	(Avg hr)
0.35	Mr	128.75	Aug	121.0	121.5	GB (p)
0.30	Mr	121.00	Oct	123.0	123.0	GB (+/-)

Nov 115.40	Nov 122.0	Eng/Wal (%)
My 123.10	Live Cattle Contract	Eng/Wal (p)

AMT Futures	Jun	108.0	106.0	Eng Wal (+/-)
Oct 121.5-20.5	Aug	111.0	111.0	Scotland (%)
Dec 128.5-25.0	Oct	111.0	111.0	Scotland (p)

Vol 143 | Vol Fig-22 Cattle-0 Scotland (+/-) * Estimated dead

AGE

Rudolf Wolff	
Vol	Tone

7.0	452250	Firmer
7.5	52875	Steady

3.0	87300	Brly Sdy
3.0	4210	Steady

1.0	298750	Steady
1.0	9708	Easier

OCK COMMISSION

See at representative
on May 23

Fig	Sheep	Cattle
09.23	234.91	103.89
10.17	232.84	103.84

08.47	+22.84	-4.74
+23.4	+66.9	-52.9
09.23	235.03	103.18

+8.47	+23.54	-6.15
n/a	+41.9	-38.4
n/a	233.51	105.82

n/a	+14.23	-3.68
increase weight		

100

MURSE

● MEDICINE: DRUG CONTROVERSY
● SCIENCE: 'MAD COW' RISK

SCIENCE & TECHNOLOGY

A cosmic trail with destruction in its wake

Are we too complacent about the threat of space debris hitting Earth?
Nick Nuttall reports on what some astronomers say will be Armageddon

Over the next few weeks the Taurid stream, a procession of vast cosmic rubble and dust that snakes around the Sun and out towards Jupiter, will swing through Earth's orbit for the first of its bi-annual crossings.

Within the stream are probably thousands of bodies including asteroids, mountain- and island-sized boulders, smaller meteoroids, Encke's Comet and assorted fragments of celestial refuse.

The exact number, size and location of objects, however, remains a mystery and according to Dr Mark Bailey, research Fellow in astronomy at Manchester University, it is likely that for every object which is confirmed, there are nine others that have so far eluded detection.

All that is certain is that the rubble, believed by some astronomers to have been formed by a collision in the asteroid belt of a defunct comet which was captured by the solar system up to 30,000 years ago, will bisect Earth's orbit in late June and again in November.

According to astronomers such as Dr Victor Clube, of Oxford University's Department of Astrophysics, the coming and goings of the Taurid stream should be a source of concern to politicians, planners and anyone who cherishes life on Earth.

A "catastrophist", Dr Clube is one of many astronomers who are convinced that within this celestial procession lie the seeds of mass destruction — an Armageddon of biblical proportions. "The matter requires urgent attention. It is crucial that everyone is woken up to the danger," Dr Clube says.

The chilling scenario envisaged is of Earth and one of the 46,000 mph objects in the Taurid stream colliding during one of the orbital crossings.

Dr Clube says: "It is analogous to a nuclear war with a megatonnage of the same order and all the effects of nuclear war with debris from the impact causing sunlight to be blocked causing a Dark Age or Ice Age."

He has coined the phrase "Multiple Tunguska Bombardment" to describe the worst nightmare which, he believes, will eventually happen. Tunguska refers to a Siberian River near which, in June 1908, a 100 yard body from the Taurid stream ploughed into Earth, exploding and devastating an area 25 miles wide with the impact of a 20-megaton bomb.

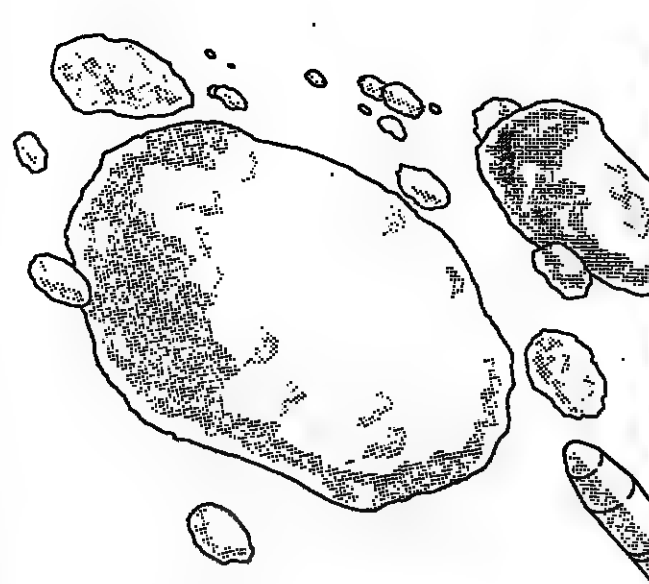
Fortunately the encounter occurred in an unpopulated part of the globe but if the impact had been on London it would have devastated the

city, killing millions. The Tunguska event may have been only a chance occurrence. Yet, according to Dr Clube and Dr Bill Napier, of the Royal Observatory in Edinburgh, whose book *Cosmic Winter* is published next month, the history of Earth is littered with subtle evidence that cosmic debris have consistently intervened, often with catastrophic consequences.

One of the most popular theories to explain the sudden demise of the dinosaurs is that, 65 million years ago, a huge asteroid ploughed into the planet, triggering either a nuclear-style winter or huge fires.

This popular theory was given a boost only last week when scientists at the University of Arizona reported the discovery of an apparent 180-mile-wide crash site in the Caribbean of an asteroid six miles wide. They claim this could be linked with the great reptiles' extinction.

Dr Clube ascribes other events including the Old Testament story of Noah and his Ark to a Dark Age linked with colliding heavenly bodies. He



destruction. Part of the blame for this complacency rests with the breakup, in 1845, of Comet Biela without any easily visible effect on Earth.

"This rather relaxed attitude to comets, which has persisted to the present day, helped turn 19th century opinion against a prevailing catastrophist view of evolution," Dr Clube says.

"Indeed, the eventual disintegration of Comet Biela into dust made it no longer out of place for biologists and geologists to explain evolution in processes that were non-violent and slow-acting."

"In short, it became flash-

a disaster of unprecedented proportions if it had struck. Although the probability is very small, its consequences in terms of the casualty rate could be enormous," the institute argues in a paper it released about the problem.

Apart from putting nuclear warheads on standby for intercepting and shattering asteroids, the institute is calling for studies into power units that could attach and divert the celestial boulders away from Earth.

"We have the technology needed to detect and track such an object and possibly to divert it from an impending impact. We would be derelict if we did nothing," the institute says.

Dr Clube is hoping to get access to an infra-red telescope to study the Taurid stream during the November crossover.

In 1983, a satellite revealed what appeared to be dust following Comet Encke, but some scientists, including Dr Clube, now believe that this contains the single large missing body, perhaps as large as 20 miles wide, shrouded in dust and boulders.

The best chance of detecting the defunct comet might come in 1994 when the American National Aeronautics and Space Administration (Nasa) is expected to launch the infra-red telescope, ISO.

Dr Bailey says: "We are learning more about these objects almost every week. We are realizing that there are quite a large number of fairly large objects, ranging in size from just a few hundred yards to six miles across, which are in Earth's collision orbit."

Along with Dr Bailey, Dr Clube supports the institute's call for improved monitoring. But both British astronomers are concerned at suggestions of shattering incoming asteroids.

They believe that there is the danger that by solving one large threat, it may create scores of smaller ones.

● *Cosmic Winter* by Dr V Clube and Dr B Napier. Published in June by Basil Blackwell (£16.95). The *Origin of Comets* by Dr M Bailey, Dr V Clube and Dr B Napier. Pergamon Press.

'Such an object could cause a disaster of unprecedented proportions if it struck'

also believes that climatic changes, including fears of present global warming, may have a cosmic component.

There is sufficient evidence, he says, to indicate that collisions happen within centuries and millenniums rather than millions and billions of years, with multiple encounters more likely than sceptics claim.

Dr Clube emphasizes that predicting when a bombardment may occur is impossible without more scientific evaluation of the Taurid stream.

"We are probably a little safer at the moment because the intersecting orbits are far away. But we are on the inward run and in 500 years we will start getting close again," he says.

According to Dr Clube, the last time that the stream was closest within Earth's orbit was in the first millennium BC, from about 500 BC up to 0 AD, the time of Christ.

It is vital to overcome complacency about the threat from cosmic debris, he says.

This complacency is relatively new, as pagan and ancient civilisations such as the Babylonians were firm believers in the threat of cosmic

ionable to assume that the world is safe when in fact multiple Tunguska bombardments, releasing around five megatons — the equivalent of a full-scale nuclear war — may happen at intervals of about 1,500 years, producing a Dark Age," he says. "To suggest the planet is safe is absurd."

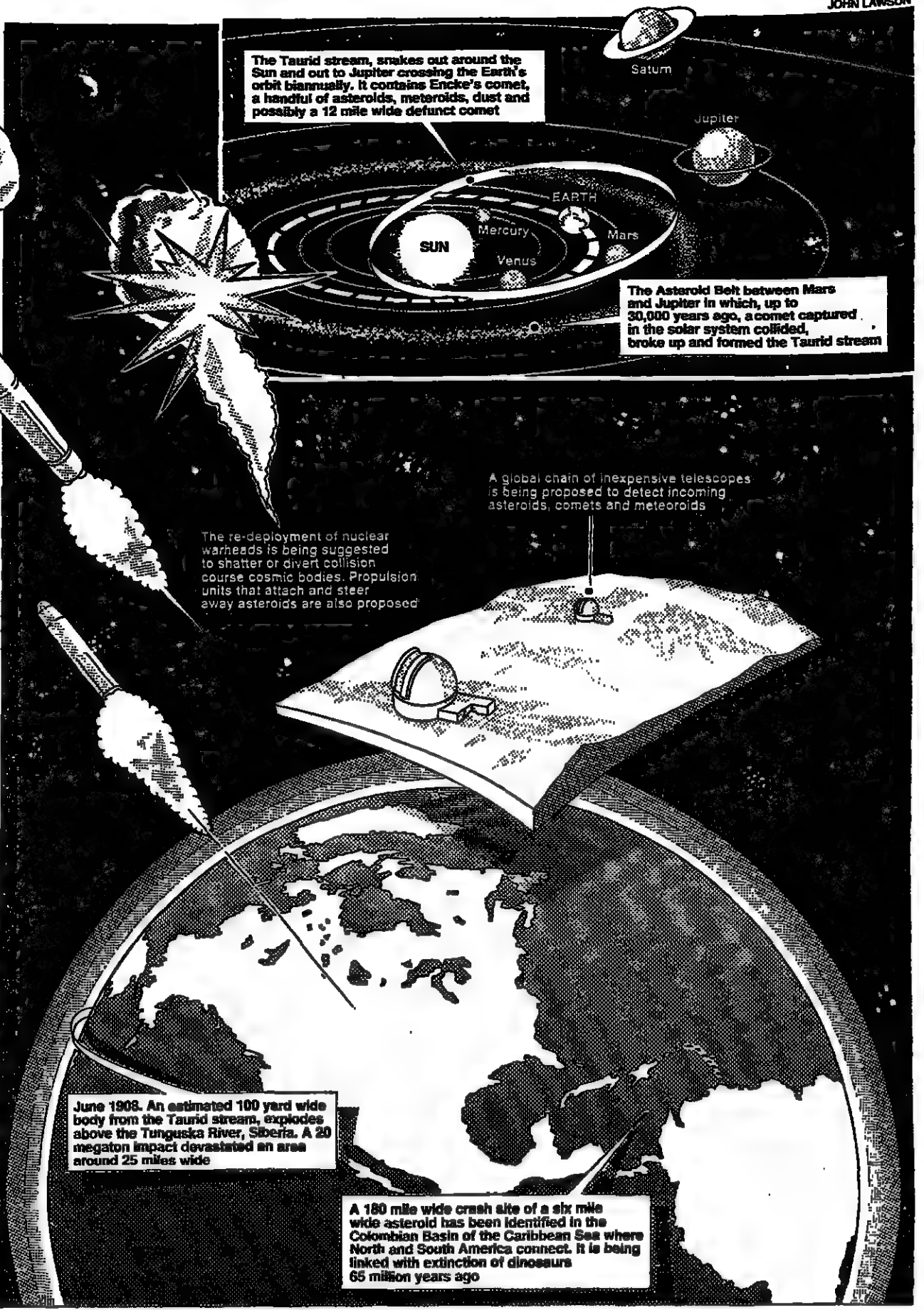
The Oxford astrophysicist is not alone in his views. Similar concerns were echoed last week by the respected American Institute of Aeronautics and Astronautics (AIAA).

The institute is calling for studies aimed at defending the Earth from asteroid attack, including the possible redeployment of nuclear weapons to shatter incoming celestial bodies.

The call comes in the wake of thawing East-West relations and what is being claimed as a recent, potentially disastrous near-collision.

Last year, 1989 FC, a cosmic boulder bigger than an aircraft carrier, passed within 400,000 miles of Earth, a mere whisker in astronomical terms, before being noticed by astronomers.

"Such an object could cause



Averting destruction?: some scientists believe missiles could be used to break up the asteroids before they reach Earth

Weighing up the odds on beef

Is not the "negligible" risk to humans from "mad cow" disease too great a risk to take?

"MAD cow" disease is on the rampage and Britain is once again gripped by a public health disaster. Or perhaps not: the experts disagree — heatedly.

How much is the risk in eating beef? The answer to that question has been obscured by confusion between two types of risk. One is a quantifiable risk, the other is an unknown risk that is estimated by extrapolation or analogy.

There is an important difference between a one in a million chance of a human catching a disease and a one in a million chance that a disease is readily transmissible to humans.

In the first type of risk, a steady but small stream of people will catch the disease. In the second, almost certainly nobody will catch it; but there is a tiny chance that large numbers of people will.

The risks of contracting bovine spongiform encephalopathy (BSE) from beef tend to be presented as if they are known, and small. But it would be more accurate to consider them unknown, and this is where the difficulties lie.

To understand the difference, consider scrapie, a disease said to be similar to BSE that affects sheep, and which has a lot in common with a rare but deadly human disease, Creutzfeldt-Jakob's disease.

Scrapie has long been widespread among British sheep and large numbers of infected sheep make their way to the



Taking precautions: the burning carcasses of cows infected with the disease

table. The incidence of Creutzfeldt-Jakob's disease is about 30 cases per year.

There is no known link between the two diseases, but the possibility has not been ruled out. Both have been around long enough for it to be clear that the risk posed by eating infected sheep is either zero or very small.

BSE is different. It is believed — though unproven — that the BSE outbreak was caused by cattle eating sheep offal which was contaminated with scrapie.

It is therefore believed, but equally unproven, that the two diseases closely resemble each other. If this is true, then, even if BSE could be transmitted to humans, it would be safe to eat beef.

It might be best to avoid products made from brain, meat around the spinal cord, and other offal, because these are the tissues where the disease appears to concentrate, but even there the risk would be minor. This presumed analogy

between scrapie and BSE lies behind public statements that eating beef is "known" to be safe.

Unfortunately, the analogy might be misleading. BSE is a new disease with a long incubation period and little research on it has yet been completed.

The organism that causes BSE might, for instance, be a mutated form of the one that causes scrapie: if so, it need not behave in the same way. Even if it is the same organism, its behaviour in cows might differ from that in sheep.

Scrapie is in the category of being a one-in-many-millions chance of a human catching a disease. We know that the risk posed by scrapie is "negligible" because we have been eating infected meat for decades and few people, if any, have suffered as a result. BSE is in the second.

Because BSE has a lot in common with scrapie, many scientists are prepared to bet heavy odds that BSE also poses a "negligible" risk to health.

But they do not know that it is negligible. The difference is crucial: if these scientists are wrong, there could be an epidemic among humans.

There is no way around this impasse except to find out what the risk really is. This requires a substantial research effort and cannot be done quickly. In the meantime, common sense suggests that we should err on the side of caution.

IAN STEWART

● The author is senior lecturer in mathematics at the University of Warwick and the author of *Does God Play Dice?*

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SCIENCE & TECHNOLOGY

A dose of economy

A s a drug that can transform the lives of thousands of kidney patients was approved for prescription by the Department of Health this week, a controversy grew over its availability.

The drug is erythropoietin, or EPO, which is hailed by doctors as one of the most important advances for many years in the treatment of anaemia, a serious and common side-effect of chronic renal failure.

The dispute is over its cost. A year's treatment adds up to about £5,000 per patient - too much in the department's view for extra funding from central government to regional health authorities. The result, according to specialists, is that many patients are being denied a medicine from which they would benefit dramatically.

"This represents a serious failure to respond to the health needs of very ill patients who require technologically expensive treatment," says Dr Malcolm Phillips, consultant physician and nephrologist at Charing Cross Hospital, west London.

What is EPO, how does it work, and is it as beneficial as its advocates claim? The drug is a genetically engineered version of erythropoietin, a hormone produced in the kidney which stimulates the production of red blood cells in bone marrow. Usually, the hormone is secreted in response to a reduced oxygen level in blood delivered to the kidney.

When damage to the kidney

Thomson Prentice reports on a cheaper way to administer the controversial anaemia drug which costs £5,000 per patient

occurs, the levels of EPO manufactured by it are reduced substantially, leading to anaemia. This, in turn, causes chronic tiredness, diminished ability to work, breathlessness, headache, depression and menstrual irregularities.

The drug simply takes over the kidney's impaired function. Given intravenously, it effectively combats anaemia in much the same way as insulin injections help diabetics overcome their condition.

The drug was developed in the mid-Eighties after scientists succeeded in isolating the EPO gene. Researchers had established, in the previous 20 years, that the hormone was produced by the kidney and acted on bone marrow to stimulate and control the production of red blood cells, which transport oxygen around the body.

Molecular biologists were able to synthesize the hormone, and four years ago the drug went into production. Studies showed that it could completely reverse anaemia in patients with kidney failure. Since then, it has been used in most

of Britain's 72 kidney dialysis centres, but only on a restricted, "named patient" basis.

Earlier this week, regulatory authorities at the Department of Health concluded from stringent scrutiny of the drug's data that it could be licensed for general use, bringing EPO a tantalizing step closer to many of the 7,500 kidney patients on dialysis machines.

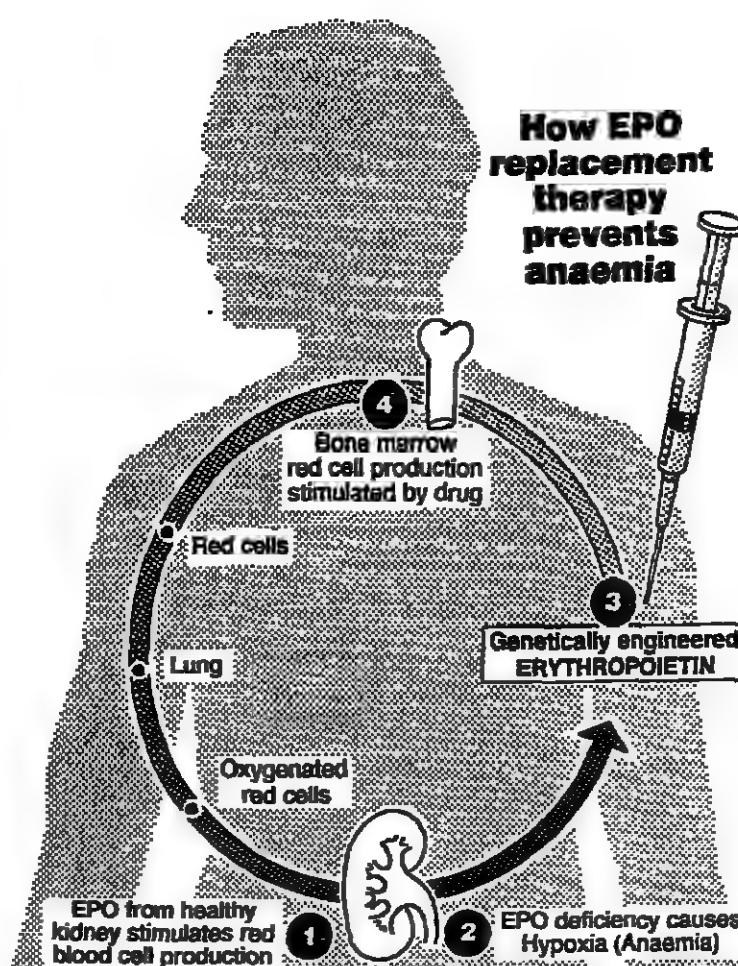
However, faced with an increased bill of about £10 million a year if it were to be made available to all, the department has written to all regional health authorities warning them that they must pay for the drug from their own already over-stretched resources.

"The Government has boasted that the health service is safe in its hands," Dr Phillips says. "Regrettably, we do not at present have confidence that this applies to patients with kidney failure."

Yesterday, a glimmer of hope emerged. Doctors at South Cleveland Hospital, in Middlesbrough, reported that they had devised a successful and cost-effective way of administering the drug by injecting it under the skin, rather than intravenously, in much smaller doses than were used previously.

"This means that a larger number of patients can receive EPO, with a similar improvement in anaemia and in the quality of life of the patient," says Dr Marion Stevens, senior registrar in renal medicine at the hospital.

"There is no doubt that at present, some deserving kidney



patients are not getting the drug because it is so expensive. We have shown that by delivering it in a different way, using smaller amounts, more patients can benefit."

She and other specialists say patients given EPO show remarkable improvements. Many have regained enough energy to return to work,

thus reducing the burden on the health service. More studies will be necessary to confirm the cost-effectiveness of subcutaneous injections before this method of treatment is adopted widely. In the meantime, doctors are continuing to press the department for a change in attitude towards subsidizing the cost of the drug.

A product about to be launched in Japan could start a boom in electronic books

Commuters in Japan may soon be reading computerized books little larger than a paperback but able to store the equivalent of thousands of pages on each of the small compact discs it uses (Matthew May writes).

Sony hopes the £230 Data Discman will start a boom of electronic books that could eventually rival the success of the personal cassette player.

Customers will not be able store their own information in Data Discman, but each 3in compact disc - the size currently used for CD singles - will be able to store more than 200 megabytes, the equivalent of more than 3,000 pages of text. Data Discman, which includes a keyboard and flip-up liquid crystal display screen, can be connected to a television set. It also plays the

Moving stories

music version of the CD single.

The keyboard can be used to select particular entries or portions of the text from indexes displayed on the screen.

"This system is designed to make information as easily accessible as playing a CD," Sony said. The screen displays only 10 lines of 15 characters a time, so how easy a novel will be to read is arguable.

When the 1lb Discman goes on sale in Japan in July, it will come with only one disc; that is enough to contain five dictionaries - three Japanese, one English-Japanese and one Japanese-English.

By then a further 18 discs

will be announced, including travel and film guides, textbooks, reference books and even instruction manuals. Prices will range from £10 to £100.

What then becomes available is more a question of economics than technical capability.

Huge reference works, such as encyclopedias, on the more common 5in version of a compact disc can cost several hundred pounds.

Customers for units such as Data Discman are unlikely to spend large amounts on a single compact disc even if it contains the equivalent of a dozen or more printed books.

One solution is for stores to



The £230 Data Discman

rent compact discs in the same way as videos.

Sony initially will manufacture 5,000 players a month, and they are expected to be on sale in Britain next year after arrangements are made with publishers to provide a library of English compact discs.

Sudan hit by quake

One of the largest earthquakes on record, 10 times bigger than the one that hit San Francisco last year, occurred last Sunday in Sudan.

Fortunately the epicentre of the quake, which registered 7.5 on the Richter scale, was in a remote area 60 miles north-east of Juba, southern Sudan's largest city with a population of more than 250,000.

But the event dramatically highlights the fact that such quakes can occur in places that are not traditionally recognized as earthquake-prone belts, such as the San Andreas fault.

"This was an extremely dangerous earthquake," geologist Rashad Kebeasy, president of Egypt's National

Research Institute of Astronomy and Geophysics, said.

"It is the first time that such a quake has struck this area."

Mr Kebeasy, an expert on earthquakes of northeast Africa, said the epicentre was west of the Great African Rift.

That earthquake zone stretches 4,000 miles from Mozambique through the Red Sea to Lebanon. Its proximity to the rift accounts for the quake's ferocity.

The Richter scale is a gauge of the energy released by an earthquake as measured by the ground motion recorded on a seismograph.

Every increase of one number, say from magnitude 5.5 to magnitude 6.6, means that the ground motion is 10 times greater.

SCIENCE & TECHNOLOGY

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SCIENCE & TECHNOLOGY

A study more than skin deep

CHRIS HARRIS



Shedding light: technician Pamela Elliott, Dr Richard Camp and Dr John Hawk, treating patient Nicola Blake in the hospital's photobiology unit

While not promising the elixir of youth, research into compounds that remove wrinkles from ageing skin is generating optimism at an international gathering of experts in London this week for Clinical Dermatology in the Year 2000.

More importantly, the conference has been told of important inroads into discovering the causes of inflammation and how it progresses into skin disorders. The findings also cover areas ranging from photobiology to the ageing process.

As we become healthier, and live longer, ageing will demand more medical attention. Skin disorders make up at least 10 per cent of a general practitioner's consultations. The findings mean it may be possible to design new drugs to combat skin disease in the same revolutionary way that has transformed the treatment of ulcers, blood pressure and heart disease.

How and why skin inflames remains a mystery to doctors. Pearce Wright reports on findings which may give answers

Although they have not discovered the trigger for inflammation, they are closer to understanding the chain of events it produces. Dr Richard Camp heads a research group at the Institute of Dermatology at St Thomas's Hospital, London which has isolated the substance within skin cells which may explain why the normally helpful protective cells, leucocytes, invade healthy cells and cause irritations or even destroy them.

The substance, leukotriene B₄, attracts the protective cells, starting an abnormal chain of events. Scientists believe this finding now provides a clear biological target at which to aim new drugs.

Although millions of pounds are spent each year on prescriptions or over-the-counter drugs for reducing inflammation, the reason why

they work is not fully understood. Inflammation plays an essential role in the body's defence against infection and in its repair of injury. Inflammation occurs because blood vessels in the underlying layer of the skin dilate, increasing the leakage of blood plasma into the surrounding tissue.

The blood serum carries a variety of cells and molecules that attack infection and remove and repair damaged tissue, resulting in the outward signs of heat, redness and swelling.

Persistent accumulation of inflammatory cells can cause distress and even death in cases of lung and kidney disease and arthritis.

In allergic skin reactions and disorders such as psoriasis

— the illness that received widespread recognition through the television series *The Singing Detective* — the processes of inflammation are out of control.

Scientists are close to identifying some of the substances which may trigger the abnormal process, during which leucocytes, a usually helpful type of white blood cell, invade healthy skin cells.

Advances in molecular biology point to a large number of substances which could stimulate the inflammatory process, but Dr Camp says histamine, which is the only one that has been clearly identified.

Some skin disorders respond to treatment with doses of ultraviolet light. But there are also skin diseases that are induced or aggravated by light. In research at St Thomas's, the skin's sensitivity is

used in volunteers to create a patch of inflammation, smaller than a postage stamp, in order to explore varieties of biochemical reactions.

Dr John Hawk, a consultant at St Thomas's, is also interested in photobiology because of the ageing effects of ultraviolet radiation in sunlight. He is particularly optimistic about the progress of a compound called retinoic acid, derived from vitamin A, for reducing wrinkles. The substance has been in use for more than 25 years to treat severe cases of acne.

The other possibilities came from a chance observation by Dr Albert Kligman, of the University of Pennsylvania, of benefits to the skin in older patients. Recent trials have confirmed the observations. Changes in the thickness of the skin and other alterations have been measured, but the mechanism by which retinoic acid produces cosmetic changes and how long the changes might last remains unclear.

Pay it with the plastic

ADVANCES in colour reproduction technology are causing concern that the counterfeiting of banknotes will become far easier.

Faced also with a short lifespan for paper money, several countries have looked at the possibility of using wafer-thin plastic to provide a virtually uncopyable and indestructible banknote. The Reserve Bank of Australia has decided that paper currency should be abolished. Australia issued the world's first plastic Aus\$10 note in 1988 as part of its Bicentennial celebrations. Describing the plastic version as cleaner, more durable and harder to counterfeit, the Reserve Bank has decided to introduce a plastic Aus\$5 note in September, with other denominations becoming plastic over the next three years.

Vaccinate crops

A VACCINE that can protect plants against pests and reduce reliance on pesticides has been developed. Genetically engineered bacteria called endophytes, which carry a naturally occurring protein to kill insects, are inserted into a plant's seeds. The endophytes spread the protein through the growing plant. The vaccine's developer, Peter Carlson, who founded a company called Crop Genetics in Maryland, has just completed two years of field tests on corn that had been vaccinated against the

Waste not...

THE recycling of discarded items produces £18 billion worth of useful commodities weighing more than 500 million tons, according to the Bureau International de la Recupération, which last week in Singapore held a conference that attracted representatives of recycling organizations from more than 40 countries.

"Turning scrap iron into steel is two and a half times cheaper than using iron ore to make steel," said Anthony Bird, president of the bureau's scrap iron and steel division.

Mental picture

PSYCHIATRISTS and psychologists who were shown home movies of a selection of children were usually able to spot those who developed schizophrenia as adults. The experiment supported the view that the disease followed an early brain disorder, Elaine Walker, psychology professor of Emory University in Atlanta, said. Thirteen mental health professionals were shown five films of children aged under five and asked which one was later diagnosed as schizophrenic. Their performance was much better than mere chance, Professor Walker said, which suggested that they were able to spot clues such as delayed development of motor skills, and unexpected emotional responses.

Super brains

ISRAELI is investigating the possibility of buying a powerful "supercomputer" from West Germany after a two-year licensing delay in trying to buy one from the American company Cray Research. Sales of both Cray and certain powerful IBM machines to Israel, Brazil and India have been stalled by the American government, which is concerned that they may be used to develop nuclear weapons. Israel cannot turn to the other main source of supercomputers, Japan, because of an agreement between America and Japan over such exports.

Up and away

THE launch of satellites by Europe's Ariane rocket will resume by late July or August, when it will put two satellites into orbit — one for French television and the other to handle West German telecommunications. Ariane-space suspended its launch programme after the explosion, over the Atlantic in February, of a rocket that was putting two Japanese satellites into orbit. Ariane-space has 38 launch contracts worth more than £1.5 billion. Ariane remains one of the two most reliable commercial conventional launchers in the world and is a model for commercial launching systems, said Frederic d'Allest, the Ariane-space president.

MATTHEW MAY

Software secret is out

MILLIONS of personal computer owners are likely to benefit after one of the worst-kept secrets in the computer industry was finally made public on Tuesday.

After years of development, the giant software firm Microsoft has announced a new software program designed to give IBM-compatible personal computers the same easy-to-use features that made the Apple Macintosh so popular.

Although the company has already produced two other attempts at a similar program, it is only with this third version that computer experts

believe it has successfully replaced the need for giving text-based and often technical commands on many standard PCs with more friendly graphical-based commands that can be controlled with a mouse pointing device as well as with a keyboard.

The new £100 program, Windows 3.0, has been available for almost a year to other software developers, who are expected to have thousands of other programs on it.

Millions of computers using a range of microprocessors, from the 286 chip to the 486 chip, will be able to use it though a hard disc; at least one

megabyte of memory is required.

The program gives a new lease of life to the most widely used operating system for personal computers. It is also likely to make IBM's attempt to establish a new standard for PCs using the OS/2 operating system more difficult.

Such are the financial gains to be made from such a program that it is surrounded with litigation. In 1988, Apple filed a lawsuit, which is still pending, against Microsoft, claiming that earlier versions of the Windows program had infringed Apple patents.

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The COSINE Project Management Unit (CPMU) is being set up by RARE (Recherche Associée pour la Recherche Européenne) to initiate, maintain and monitor the many international projects which make up the EUREKA Project COSINE (Cooperation for OSI Networking in Europe) involving 20 European governments and the Commission of the European Communities. The project aims at creating a common operational OSI infrastructure for the European Research Community. Its mandate is for a 3 year period.

In this context, the CPMU has the following vacancies for suitably qualified staff.

DIRECTOR

(ref. CPMU recruitment 1)

Project Development Manager

(ref. CPMU recruitment 2)

Services Coordination Manager

(ref. CPMU recruitment 3)

Technical Development Manager

(ref. CPMU recruitment 4)

Head of Administration

(ref. CPMU recruitment 5)

Nature of duties/responsibilities required

The CPMU Director will be responsible for developing and implementing project plans in the field of OSI networking as well as for overall financial management. He/she will manage a small team of experienced personnel. The successful candidate will be able to demonstrate:

- a sound knowledge of OSI networking
- a proven track record of managing large, international projects
- the ability to motivate a team of professionals from different countries and backgrounds
- sensitivity to the needs of users and funding bodies.

The other posts will cover a wide range of tasks in connection with the development, marketing and administration of COSINE project services and products on an international market from both a technical and financial standpoint.

Successful candidates, who must be nationals of one of the COSINE member countries, will be able to demonstrate a varying range of financial, project management, administrative and technical skills and experience in the area of OSI networking. Further information concerning the precise nature of duties can be obtained from the RARE Secretariat. The working language is English but candidates should have a good knowledge of at least one other European language.

Salaries will be commensurate with the level of duties and experience and assistance will be given in relocating to Amsterdam, which is foreseen as the future headquarters of the CPMU. If you find the prospect exciting and would like to be considered for any of these positions, please send your full Curriculum Vitae, preferably in English, in complete confidence, quoting the appropriate reference by 22 June 1990 to:

(For ref. CPMU recruitment 1)
Klaus ULLMANN
RARE President
c/o DFN VERBUND
Postfach 10155
D-1000 BERLIN 15



(For ref. CPMU recruitment 2-5)
Klaus ULLMANN
RARE President
c/o RARE Secretariat
P.O. Box 41822
NL-1009 DB AMSTERDAM

Fax +31 20 5920643, for information

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Court of Appeal

Law Report May 24 1990

Court of Appeal

Benefit of better stepmother disregarded

Stanley v Saddique
Before Lord Justice Purchas, Lord Justice Ralph Gibson and Sir David Croom-Johnson
[Judgment May 18]

The benefit accruing to a minor, whose unreliable mother was killed in a road accident caused by the negligence of the defendant, through his father's marriage to a more reliable woman who provided a higher standard of motherly services, was a benefit which should be disregarded under section 4 of the Fatal Accidents Act 1976, as amended by section 3(1) of the Administration of Justice Act 1982.

It could not be said that there was no loss of dependency to the minor. However, the deceased mother's shortcomings were a matter which should be taken into account when calculating the damages for loss of dependency.

The Court of Appeal stated allowing an appeal by the defendant, Mohammed Saddique, from a decision of Mr Justice Morland on July 13, 1989 awarded damages of £24,500 to the plaintiff minor, David Dean Stanley, suing by his father and next friend, David John Stanley, who was not married to his deceased mother, Elaine Sallam.

Mr Richard Clegg, QC and Mr Nicholas Worsley for the defendant; Mr Piers Ashworth, QC and Mr Anthony Hughes, QC for the plaintiff minor.

LORD JUSTICE PURCHAS said the basis of the claim was the minor's dependency on his mother who was then married to a Frederick Stallard by whom she had three children.

In 1982 the mother began an association with the minor's

father who was divorced. That summer she left her children and went to Blackpool with the minor's father.

In December 1983 the minor was born. At the time of the mother's death on March 24, 1984 the father looked after the minor.

In June 1984 the father met a woman called Tracy and they married in November 1984 after which they moved into Tracy's flat. Tracy had a daughter of her own and a son was subsequently born to the father and Tracy in 1985.

The judge found that after his marriage to Tracy the father settled down and was a good father to the minor. He also found that Tracy was providing excellent motherly services to the minor which were of a higher quality than could reasonably be expected to have been provided by the minor's mother.

The judge found that the motherly services likely to have been provided by the mother would have been of an inferior quality and lacking in continuity and that some indication of her reliability as a mother was the fact that she left her three young children, one handicapped and one extremely young, for an irresponsible relationship with the minor's father in Blackpool.

Based on those findings the first contention of the defendant was that as the minor was better off in the home provided by his father and Tracy than he would ever have been with his mother there was no loss of dependency and, therefore, no damages to be awarded under the Act.

The judge did not accept that contention but calculated a loss

of dependency adopting the multiplier/multiplier approach: see *Spillie v Sunney* [1988] 1 WLR 847.

The judge concluded that the benefits accruing from the home consisting of the father, Tracy and their children was excluded by section 4 of the 1976 Act, as amended. That was the first ground of appeal: the Act. The problem was one of construction.

The problem was to decide whether in construing section 4 there was any justification for construing the words "benefits which have accrued or will or may accrue to any person from his estate or otherwise as a result of his death shall be disregarded" as in any way being restricted or whether they should be given the full ambit of the word "otherwise".

Mr Clegg suggested that the exclusion should be restricted to direct pecuniary benefits. However, if that course was taken the word "otherwise" would not be sufficiently wide to minimise the various rights which had been progressively introduced since the Fatal Accidents (Damages) Act 1908 culminating in sections 1 to 4 of the 1976 Act which were wholly replaced by section 3(1) of the 1982 Act.

As a result of the passage of the 1982 Act none of the pre-existing statutory exemptions from the deductions of benefits from fatal accidents Acts damages survived unless it was through the medium of the word "otherwise".

It seemed inconceivable that Parliament would have effected a wholesale repeal of all long-standing previous statutory exemptions from the deduction of benefits by a side-wind of that sort.

In his Lordship's judgment, the preferable construction was that by section 4 Parliament intended to further the departure from ordinary common law assessment of damages for personal injuries by the artificial concept which had for many decades been the basis of damages recoverable under the fatal accidents Acts.

The judge was correct in his conclusion that the benefits accruing to the minor as a result of his absorption into the family unit consisting of his father and stepmother and siblings should be wholly disregarded in assessing damages.

The defendants argued that in any event the judge failed properly to take into account his own findings of fact as to the prospects of any substantial benefit which would have been enjoyed by the minor had his mother not died. That really was an attack either on the multiplier or the multiplier itself by the judge based on *Spillie v Sunney*.

Mr Clegg submitted that in assessing the value of the mother's services at £3,000 a year discounted against the smaller reliance placed on her by the minor as he grew older, the judge failed to take into account the multiplier at 12 years to represent his age up to 18 to make any proper discount for the real possibility that the mother might, as a result of her own shortcomings, not be available through the full period of 12 years.

He relied on the mother's record in relation to her earlier children and the findings of the judge that the minor's prospects of enjoying any continuing or valuable support from his mother were bleak.

That, Mr Clegg submitted, called for a far more substantial discount either by reducing the multiplier or, in his Lordship's judgment, more appropriately, the multiplier before reaching the figure which the judge reached of £24,000.

In the end, the assessment of the damages for loss of dependency, as apart from that element of the dependency which could be related to financial support, was a jury question.

His Lordship had no doubt that the judge's computation was plainly too high and was reached on a wrong principle in as much as it omitted to make a proper discount for the real possibility that the mother would not have stayed with the family, and that, therefore, the finding could not be upheld on appeal.

The duty of the court was to arrive at a figure which a jury might well have awarded had it taken into account all the circumstances. Such was the case in *Spillie v Sunney* where the judge had to take into account the multiplier/multiplier approach was inappropriate.

In carrying out an assessment on a jury award basis, his Lordship reached a figure of £10,000 for loss of support. The figure of £5,000 for loss of financial support which the judge assessed and which could not be disturbed on appeal. The total award should therefore be £15,000.

LORD JUSTICE RALPH GIBSON delivered a concurring judgment and Sir David Croom-Johnson agreed.

Solicitors: Sharpe Pritchard for Howards, Birmingham; Parkinson Wright, Worcester.

First estate agent entitled to his commission

Peter Yates & Co v Bullock and Another
Before Lord Justice Nourse and Mr Justice Ward
[Judgment May 16]

An estate agent was entitled to receive his commission from a vendor for the introduction of a purchaser if he was the effective cause of the sale taking place. The completion of the sale transactions by another agent subsequently instructed by the vendor to purchase, introduced by the original agent, did not prevent that original agent from receiving payment.

The Court of Appeal so held in allowing an appeal by the plaintiffs, Peter Yates & Co, a firm of estate agents, from the judgment of Judge Sellers in Blackpool County Court in June 1989 dismissing their claim for payment of commission by the defendants, the executors of Mr Ernest Bullock. The defendants were refused leave to appeal to the House of Lords.

Mr Cecil Henriques for the plaintiffs; Mr John Woodward for the defendants.

LORD JUSTICE NOURSE said that in 1987 the plaintiffs received oral instructions from Mr Bullock to sell the Westmoreland Hotel, Queens Promenade, Blackpool.

The agreement was evidenced by a letter from the plaintiffs to Mr Bullock thanking him for his "most favoured instructions to act as agents in offering your property for sale at the sum of £150,000". Commission was agreed at a rate of 10 per cent.

The plaintiffs marketed the hotel and showed the property to a number of persons, including Mr and Mrs Duxbury. On three further occasions they had visited the property before making an offer worth just under £123,000.

Following advice from the plaintiffs to hold out for more, Mr Bullock had refused the offer. Clearly, however, between

February and April 1987 the Duxburys had been very interested prospective purchasers of the hotel, their interest having been nourished by the plaintiffs.

On April 24, Mr Bullock had instructed another firm of agents, Kays of Blackpool, giving them sole selling rights. Mr Bullock did not terminate the plaintiffs' agency.

Thereafter Kays negotiated the sale to Mr and Mrs Duxbury together with a Mrs Hume for £135,000, completion taking place on July 8, 1987. On July 10 Mr Bullock paid commission to Kays of £2,328. He declined to pay commission to the plaintiffs who issued a writ.

Dismissing the plaintiffs' claim, the judge having found that Kays negotiated the sale, stated that "although the plaintiffs initially introduced the purchasers to the property and they considered the purchase carefully, they were unable to raise the necessary finance. They then roped in Mrs Hume and the purchase was made by the three people."

There was no evidence that the plaintiffs knew anything of the existence of Mrs Hume who seemed vital to the purchase made through the other agents... the plaintiffs were not the effective cause of the sale... clearly Mrs Hume was essential to the purchase. The plaintiffs did not introduce her to the property and therefore were not the effective cause of the sale."

It was agreed that the question of the plaintiffs' entitlement to commission depended on whether they were or were not the effective cause of the sale. The recent authority on that question was *John D. Wood & Co v Dantata* (1987) 2 EG LR 23, applied by Mr Justice Garland in *Chesterfield & Co v Zahid* (The Times February 13, 1989).

In the *Dantata* judgment that his Lordship said that he had himself given he had stated:

"What you are looking for is the leading or bringing in of the purchaser to that transaction. That makes it clear that first acquaintance is not paramount and it explains why the test is expressed by reference to the effective cause of the transaction."

The defendants relied on that passage, contending that the admitted introduction of the Duxburys to the property was not paramount or conclusive and that as the plaintiffs had not introduced Mrs Hume and after April 24 had played no effective part at all, the judge was right to conclude as he had.

His Lordship said that although the introduction of the Duxburys by the plaintiffs was not decisive, the judge's conclusion could not be upheld.

Each case depended on its facts and any different combination of facts might be available to show which of two firms of agents was the effective cause of a sale. The valid question was that asked by Mr Henriques: who would the position have been if Kays had never come into the matter?

Had the Duxburys and Mrs Hume gone personally to Mr Bullock and said that they were willing and able to put the £135,000, clearly the plaintiffs, who had done a lot of spade work, would have been entitled to commission.

The question then to be asked was whether the appearance of Kays on the scene had broken the chain of causation because of what they had done as regards the eventual purchase. There was no evidence of any effective part by Kays beyond their being the channel for the successful offer: the chain of causation had not been broken by them.

Mr Justice Ward gave a concurring judgment.

Solicitors: Edwin Cox for Ashcroft Whitehead, Blackpool; Edwin Cox for Roland Robinson & Fentons, Blackpool.

Delay reflected in child's damages award for lost mother

Corbett v Barking, Havering and Brentwood Health Authority
Before Lord Justice Purchas, Lord Justice Ralph Gibson and Lord Justice Farquharson
[Judgment May 18]

Where on a claim for damages by an infant dependant of the Fatal Accidents Act 1976 for the loss of the support of his mother there was a long delay before an award was made, the court was entitled to take account of the delay and to allow some adjustment for it when fixing the multiplier as at the date of death.

The Court of Appeal by a majority (Lord Justice Ralph Gibson dissenting) so stated allowing an appeal on that issue by the infant plaintiff, Richard Brian Corbett, suing by his father and next friend, Brendan Desmond Corbett, from the decision of Judge Hayman sitting as a deputy High Court judge on June 5, 1989. The defendants were granted leave to appeal to the House of Lords.

The plaintiff's claim was against the defendants, Barking, Havering and Brentwood Health Authority, in negligence for causing the death of his mother while giving birth to him. Liability was disputed until just before the trial when it was admitted and the trial proceeded on the question of damages. At the date of the trial the plaintiff was eleven and a half years old.

Mr Harvey McGregor, QC and Mr Rodrick Doggett for the plaintiff; Mr Nicholas Playford, QC and Mr Terence Coghlan for the defendants.

LORD JUSTICE PURCHAS said that the judge considered that he was bound by authority to take as the overall period for dependency 18 years from the date. Applying normal discounts he reached a multiplier of 12 years.

The date of the trial there was only 0.5 years to run before the full period of the multiplier expired, if the figure was to be assessed not only with the date of death as datum point but with the factors from which the multiplier was to be calculated assumed to be those which would be known to the court were the trial to have taken place on that date.

Considering himself bound by the authority of the House of Lords in *Cookson v Knowles* (1979) AC 556, the judge took a multiplier of 0.5 in assessing post-trial damages.

The use of the multiplier approach for the capitalization of future damages to be compensated by a once-for-all lump sum was an adequate and well known instrument, but it had to be used appropriately.

In every assessment of future damages to be compensated by an immediate payment there were at least five essential elements:

- 1 The likelihood of the provider of the support continuing to exist.
- 2 The likelihood of the dependant being alive to benefit from that support.
- 3 The possibility of the providing capacity of the provider being affected by the changes and chances of life either in a positive or negative manner.

The judge was in error in considering that he was bound by *Cookson v Knowles* and *Graham v Dodds* (1983) 1 WLR 808 to take a multiplier of 12 as the correct figure.

If those factors were put into the equation when assessing (c) as at the date of death, they must result in a substantial increase to the multiplier assessed as at the date of death.

That was not the same exercise as that which the Court of Appeal carried out in calculating the multiplier as at the date of trial in *Graham v Dodds*, since it still took into account the uncertainties surrounding the hypothetical survival of the provider of the support.

The failure to do that was the main ground for the rejection of the Court of Appeal's approach in *Graham v Dodds* by Lord Justice Bingham. It was for that reason that his Lordship disagreed with Lord Justice Ralph Gibson that *Graham v*

4 The possibility of the needs of the dependant being altered by the changes and chances of life, again in a positive or negative way.

5 An actuarial discount to compensate (i) for immediate receipt of compensatory damages in advance of the date when the loss would in fact have been incurred, and (ii) that the capital should be exhausted at the end of the period of dependency.

As a general rule to arrive at the multiplier it was necessary: (a) To consider the combined effects of (1) and (3) above to arrive at the number of years during which the provision of the support was likely to be available if needed by the dependant.

(b) To consider the combined effects of (2) and (4) to arrive at the number of years during which the dependant was likely to need the support.

(c) To apply (5) to the lesser of (a) and (b) above, with an added but usually minor discount to take account of an outside chance that the choice between (a) and (b) might in the event prove to be wrong.

The issue at the heart of the appeal was at what date should the known facts be taken when calculating elements (1) to (4) above and when choosing the discount in (5).

The judge was in error in considering that he was bound by *Cookson v Knowles* and *Graham v Dodds* (1983) 1 WLR 808 to take a multiplier of 12 as the correct figure.

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denying the court the power to take into account, by adjusting the multiplier to be assessed as at the date of death, facts established at the trial.

That exercise was permissible when assessing the multiplier as at the date of death, but not when the multiplier was (a) rather than (b).

Frequently when (b) was larger than (a) the period over which the receipt of compensation was advanced was substantial and the element of that in the discount in (c) would also be substantial.

When, however, (b) represented a very short period there would not be much discount from the remaining years to the age of 18. In addition the further discount arising from (4) would also be small.

If those factors were put into the equation when assessing (c) as at the date of death, they must result in a substantial increase to the multiplier assessed as at the date of death.

That was not the same exercise as that which the Court of Appeal carried out in calculating the multiplier as at the date of trial in *Graham v Dodds*, since it still took into account the uncertainties surrounding the hypothetical survival of the provider of the support.

The failure to do that was the main ground for the rejection of the Court of Appeal's approach in *Graham v Dodds* by Lord Justice Bingham. It was for that reason that his Lordship disagreed with Lord Justice Ralph Gibson that *Graham v*

Dodds prevented the court from adjusting the multiplier to take into account the facts arising from the delay before the trial took place. For the same reasons his Lordship could not agree that the judge's finding of the multiplier at 12 should not be disturbed.

It was common ground that either 12 or 13 would have been the appropriate multiplier to cover 18 years dependency in normal circumstances. Not to make a meaningful adjustment because during 11½ of the 18 years of dependency, upon which the discounts in (b) would normally be applied but which no longer contain uncertainties would be illogical.

It did in the present case lead to the bizarre position where the dependency of a normal healthy individual was discounted to six years in *Cookson v Knowles* and the resolution of the use of the multiplier in circumstances such as the present case was never directly in issue.

For those reasons the judge fixed a multiplier which was demonstrably too low and it was open to the court to use its own discretion and to substitute a multiplier of its own taking into account the facts available at the trial. His Lordship would award an uplift in the multiplier to take into account all adjustments to 15.

LORD JUSTICE RALPH GIBSON delivered a dissenting judgment and Lord Justice Farquharson agreed. The judge, sitting with Lord Justice Purchas.

Solicitors: Thompson Smith & Puxon, Colchester; Beachcroft Stanleys.

Adding grounds relied on in judicial review upon notice

Regina v Bow Street Stipendiary Magistrate, Ex parte Roberts and Others
Before Lord Justice Watkins and Mr Justice Potts
[Judgment May 10]

An applicant for judicial review who wished to rely upon grounds specified in his notice of motion but in relation to which he had not specifically been given leave by the single judge should within 21 days of

the service of notice of motion serve notice on the respondent specifying those other grounds to be relied upon.

The Queen's Bench Divisional Court so stated in considering a renewed application by Jonathan Howard Roberts, Janet Ann Thain, Michael Digby Row and Janet Alison Knapton for leave to apply for judicial review of a decision of the Bow Street Stipendiary Magistrate.

The applicants had already obtained leave to apply for judicial review in respect of one ground but wished to proceed on some of the grounds for which leave had not been given.

Mr Roberts in person.

LORD JUSTICE WATKINS said that the practice as to reliance upon grounds other than those which had formed the basis for the leave to move

given by the single judge to an applicant for judicial review needed to be explained.

Where an applicant had made an application for leave to apply for judicial review in respect of one ground but wished to proceed on some of the grounds for which leave had not been given, he had not expressly been given leave to move expressly upon one of them. It was unnecessary for him to renew his application for the purpose of relying upon the other grounds upon which he had not specifically been given leave to move provided, and this was of the utmost importance, that he gave notice to the respondents that he intended at the substantive hearing to rely upon one or more of the additional grounds.

Because the normal period for filing affidavits had already elapsed the respondents would have from the day of the receipt of the notice from the applicants the opportunity to rely upon any affidavits upon which it was intended to rely.

After the expiry of that 56-day period the matter could be listed for hearing.

doubt about it for the future, any applicant, in seeking to rely upon grounds specified in his notice and in respect of which the single judge had not expressly given leave, and who intended to rely upon one or more of those other grounds, should within 21 days of the service of notice of motion serve upon the respondent a notice which specified those other grounds. It was not necessary to make formal renewal on Form 86B.

Thus in the instant case the applicants within the next 21 days had to give notice to the respondents of their intention to rely on the additional grounds.

Because the normal period for filing affidavits had already elapsed the respondents would have from the day of the receipt of the notice from the applicants the opportunity to rely upon any affidavits upon which it was intended to rely.

After the expiry of that 56-day period the matter could be listed for hearing.

Crown court administrators must forward documents promptly

Regina v Field
It could not be emphasized strongly enough how important it was for administrators in the crown court to make sure that all relevant trial documents were forwarded to the Criminal Appeal Office at the earliest possible moment.

The Court of Appeal (Lord

Justice Farquharson, Mr Justice Tudor Evans and Mr Justice Brooke) so stated on May 17, when dismissing an appeal by Carl Alexander Field against a conviction in a young offender institution imposed on April 25, 1989 at Liverpool Crown Court by Judge Campbell, on the appellant's plea of guilty to attempted

robbery.

MR JUSTICE TUDOR EVANS said that the documents in the case had been delayed in the crown court, resulting in a delay of no less than eight months.

That was intolerable and not acceptable, bearing in mind that the liberty of the subject was at issue.

European Law Report

European Parliament can challenge act of Council or Commission in Court

European Parliament v Council of the European Communities (supported by United Kingdom and by the Commission of the European Communities, Interveners).
Case C-70/88

Before O. Due, President and Judges Sir Gordon Slynn, C. N. Kakouris, F. A. Schockweiler, M. Zuleeg, G. F. Mancini, R. Joliet, J. C. Molitoro de Almeida and C. C. Rodriguez Iglesias.
Advocate General W. van Gerven.
[Opinion November 30, 1989] [Judgment May 22]

The European Parliament might bring an action for annulment before the Court of Justice of the European Communities against an act of the Council or of the Commission provided that such an action sought only to defend Parliament's powers and that it was based exclusively on arguments based upon the infringement of those powers.

The present action, brought under article 173 of the EEC Treaty and article 146 of the Euratom Treaty, sought the annulment of Council Regulation (Euratom) No 3954/87 of December 22, 1987 laying down maximum permitted levels of

radioactive contamination of foodstuffs and of feedstuffs following a nuclear accident or any other cause of radiological emergency (OJ 1987 No L371, p11).

During the procedure leading to the adoption of the disputed regulation, the European Parliament, having been consulted by the Council in accordance with article 31 of the Euratom Treaty, stated its disagreement with the legal basis proposed by the Commission and invited the latter to submit a fresh proposal based on article 100(a) of the EEC Treaty.

Since the Commission did not accede to that request, the Council adopted Regulation No 3954/87 on the basis of article 31 of the Euratom Treaty, whereupon the European Parliament brought the present action for annulment.

The Council raised an objection to the admissibility of the action based upon article 91 of the Rules of Procedure of the Court and asked the Court to rule upon that objection without entering into the substance.

In support of its objection, at a time when the Court's judgment in Case 302/87 *European Parliament v Council* (The

Times October 10, 1988: [1988] ECR 5615) had not yet been delivered, the Council submitted arguments similar to those which it had raised in support of its objection to the admissibility of that case.

The Commission, having been allowed to intervene in the present proceedings, although it argued for the dismissal of the application of the substance, invited the Court to dismiss the objection of inadmissibility raised by the Council.

In its judgment the Court of Justice of the European Communities held as follows:

It was appropriate to observe, as a preliminary matter, that since the disputed measure was based upon a provision of the Euratom Treaty, the admissibility of the action seeking the annulment of that measure was to be assessed in the light of that Treaty.

It was clear from the judgment in Case 302/87 that the Parliament had no right to bring an action for annulment under the provisions of article 173 of the EEC Treaty or those of article 146 of the Euratom Treaty which was identical to it.

As pointed out by that judge-

ment, not only did the Parliament have the right to bring an action for failure to act but also the Treaties provided various means by which acts of the Council or of the Commission adopted in infringement of the prerogatives of the Parliament could be reviewed by the Court.

None the less the background and the arguments had revealed that however useful and varied the various means of redress laid down by the Euratom and the EEC Treaties might be, they could prove to be inefficient or uncertain.

In the first place, an action for failure to act could not be used to dispute the legal basis of an act which had already been adopted.

Moreover, the submission of a preliminary question relating to the validity of a given act or the bringing of actions before the Court by states or individuals with a view to the annulment of such an act, were mere possibilities upon which the Parliament could not rely.

Finally, although it was for the Commission to ensure the observance of the powers of the Parliament, that task could not go so far as to require the Commission to accept a pos-

sition of the Parliament and to present an application for annulment which, for its own part, it might view as ill-founded.

It followed from the foregoing that the existence of the legal remedies was not sufficient to guarantee in all circumstances, the annulment of an act of the Council or of the Commission which had infringed the powers of the Parliament.

Those powers were one of the elements in the institutional balance established by the Treaties. The Treaties had established a system of division of powers between the various institutions of the Community, which conferred upon each of them its own task in the institutional structure of the Community and in the achievement of the tasks conferred upon it.

Respect for the institutional balance implied that each institution should be able to exercise its powers while observing those of the others. It required also that any infringement of that balance, should it arise, should be able to be punished.

The Court, which was responsible pursuant to the Treaties for

ensuring the observance of the law in their interpretation and application, had therefore to ensure that the institutional balance was maintained and consequently had to provide judicial review over the observation of the powers of the Parliament where a case was brought before it by the latter, by means of an action suitable to the objective which it was seeking to attain.

In carrying out that task, the Court obviously could not include the Parliament among institutions which might bring an action pursuant to article 173 of the EEC Treaty or article 146 of the Euratom Treaty, without having to demonstrate a specific interest in the proceedings.

It was, however, for it to ensure the full application of the provisions of the Treaties relating to the institutional balance and to act in such a way that the European Parliament, like the other institutions, could not have its powers infringed without having the possibility of a legal action provided for by the Treaties and which could be used in a certain and effective manner.

The absence from the Treaties

of a provision enabling the Parliament to bring an action for annulment might constitute a procedural lacuna; however, that could not prevail over the fundamental interest in the maintenance and observation of the institutional balance laid down by the Treaties establishing the European Communities.

Consequently, an

EQUESTRIANISM

Stark's drug ban is replaced by a fine as appeal succeeds

By Jenny MacArthur

IAN Stark, the 1988 Olympic individual three-day event silver medal winner, will be free to compete in the world championships in Stockholm this summer after his successful appeal against his three-month suspension imposed on him earlier this month by the International Equestrian Federation for alleged abuse of the pain-killing drug, phenylbutazone.

The appeals tribunal of the FEI considered Stark's case on Monday and decided, partly as a result of new veterinary and scientific evidence, to "cancel the suspension imposed on him by the judicial committee of the FEI and impose instead a fine of \$5,000 (£2,914)."

The actual grounds for the decision are being set by post to the British Equestrian Federation this week. The initial findings of the tribunal were communicated by fax in an attempt to speed up the FEI's notoriously lengthy judicial procedures.

Stark, whose main aim throughout the six-month case has been to clear his name, is delighted and relieved at the result. Speaking on Tuesday from his home just outside Selkirk in Scotland, he said: "I am thrilled with the outcome of my appeal and can hardly believe that the ban has been totally lifted, even though a large fine has to be paid. I'm especially delighted for the Edinburgh Woolen Mill, my sponsors for seven years, who have been very supportive during this difficult time."

Stark, aged 36 and one of the most honest and likeable members of the sport, has always protested his innocence in the case, which started last October when his horse, Foxy V, was found to have more than the permitted level of phenylbutazone ("bute") in his blood after he had won the Wertheim three-day event in Australia. Stark, who gave only a small dosage of the drug, remains mystified as to how more than double the permitted level was found in the blood sample.

It was not until March, some five months later, that Stark heard of his three-month suspension, an unprecedented sentence in the sport, one which reflected the FEI's determination, under its president, the Princess Royal, to crack down on all cases of drug abuse. Stark was clearly being made an example of.

His appeal was co-ordinated by the British Equestrian Federation, to whom Stark paid particular thanks this

week for all its hard work. Major Malcolm Wallace, the director general of the British Equestrian Federation, who shouldered most of the work involved, is delighted with the outcome.

"The FEI has said from the outset that they believed Ian to have 'acted in good faith'," Wallace said this week. "And I think that the revised findings demonstrate this. However, a fine of nearly £3,000 also shows how seriously such mistakes are viewed and demonstrate that a new tough line is being taken for offences like this involving medication. The BEF totally supports this approach."

Stark, who has been a member of every championship team since the 1984 Los Angeles Olympics, had been left off the long list for the world championships until the outcome of the appeal was known. He looks certain to claim one of the four team places, with either Murphy himself or Glenburnie, the horse on which he won a team gold medal at the European Championships last year.

Stark has no plans to compete in any event before the final trial for the world championships at Milton Keynes in early July. Because of the ban, he had not entered for any events but he will ride Glenburnie and Murphy himself in the event's special class during the Nations Cup meeting at Hickstead at the end of the month. He will then go to the United States for 10 days to teach.



Stark: world place awaits

Tumble fails to disrupt Oilers' flow



MARK Messier, of Edmonton Oilers, may have been sent for a merry fall after this collision with a colleague, Glenn Anderson, but his team remained very much on course for their fifth Stanley Cup triumph in seven years after the 5-1 win over Boston Bruins in Edmonton which gave them a 3-1 lead in the best-of-seven series (Norman DeMoss/Edmonton Oilers).

On the evidence of the form shown by the two teams on Tuesday, it seems quite inconceivable that the Bruins will be able to lift themselves sufficiently to win the next three games and pull the series out of the fire.

Last week, some of the Oilers' players were criticised for a messy fall after this collision with a colleague, Glenn Anderson, but his team remained very much on course for their fifth Stanley Cup triumph in seven years after the 5-1 win over Boston Bruins in Edmonton which gave them a 3-1 lead in the best-of-seven series (Norman DeMoss/Edmonton Oilers).

Anderson scored twice to give the Oilers a two-goal lead at the first interval and they scored twice more in the second period, through Craig Simpson and Ken Hitchcock, to leave 4-0 at half-time. Anderson's goal was his 10th of the play-off and gave him the overall goalscoring lead.

John Carter, but Simpson's second goal of the game, with less than two minutes remaining, restored the Oilers' four-goal margin and the final score accurately reflected the difference between the two sides.

In contrast to earlier games, Boston were unable to develop any momentum. Bill Ranford in the Edmonton goal was not overworked, although he again made many outstanding saves and he is in the sort of form which frustrates opponents.

The fifth game is to be played on Tuesday and it is hard to imagine that a sixth game will be necessary.

GOLF

Casting vote may be needed to settle Ryder Cup dispute

By Mitchell Platt, Golf Correspondent

The Ryder Cup committee meets at Wentworth today to decide where the 1993 match between Europe and the United States will be held. There are 11 contenders, although I suspect only three of them will warrant serious discussion.

Bernard Gallacher, the European captain, has already stated that the PGA European Tour will give full and unequivocal support to Club de Campo, on the outskirts of Madrid. The Professional Golfers' Association will surely support The Belfry, Sutton Coldfield, where they have their headquarters. It was at The Belfry in 1985 that Europe regained the Ryder Cup for the first time since 1957 and where last September they reported it by virtue of a hard-fought tie.

There is every likelihood of a stalemate since the Ryder Cup committee, which is chaired by Lord Derby, is made up of three members of the PGA European Tour (Neil Coles, Gallacher and Tony Jacklin) and three from the Professional Golfers' Association (Brian Addis, David Huxley and Philip Weaver). Lord Derby has been placed in an awkward position, since he is president of both associations. Relationships between them are not as cordial as they might be.

In his foreword to *The Illustrated History of the Ryder Cup* (1977, 1989) by Michael Williams (Stanley Paul, £14.95), Lord Derby wrote: "The Ryder Cup is a seed merchant's dream that has become an amazing reality and a major sporting occasion eagerly anticipated by everyone with an interest in the game. Over the years the venues, the format, even the teams have changed but one factor has remained constant throughout. The goodwill, good manners and sportsmanship that are so central to the continuing fortune of these matches are a common thread running through all the 28 contests already played." These are words well worth heading off the fairways as well as on them.

The other prospective venues - Ballynagall, Carnoustie, East Sussex National, Hillsdale, Kildare, Loch Lomond, Portmarnock, Royal Birkdale and St Melor - would appear as well as, with the possible exception of Portmarnock whose presentation impressed both the PGA and the Tour officials. The Portmarnock bid has been enthusiastically supported by both the Irish government and the Irish Tourist Board and offers an obvious compromise.

The Ryder Cup, of course, provides the exposure which can turn a course into a commercial success, as proved by events at The Belfry. Indeed, St Melor made an unconditional offer of £1 million and it is thought that was subsequently exceeded by Kildare.

Derrick Pillage, a consultant for St Melor, said: "We put £1 million on the table with no strings attached. We also said that if we got the match then we would build a £5 million hotel and that, with extras, the offer would amount to a guaranteed sum of £1.5 million."

Last year the Ryder Cup made a profit of only £750,000 despite an attendance of 100,000 and a large income from TV rights. Even so, one must assume on the basis of the facts aired in public, that the committee will discount such offers and nomi-

nate either Club de Campo or The Belfry.

Sam Torrance and Ian Woosnam both feel that it should go back to The Belfry. Spain is a huge growth area for the game, with seven PGA European Tour events now played there, and the Spanish should be even better versed in the art of staging international events after experience with the 1992 Olympics and Expo '92. What goes against the grain is that the PGA European Tour's decision has been influenced by veiled threats made by Ballesteros.

Some observers point out that Ballesteros, whose form in the last twelve months has been suspect, might require a "wild card" selection in 1993. The only point in playing the Ryder Cup in Spain in 1993, or so we are led to believe, is to ensure that Ballesteros could captain the team.

There has been much discussion over Ballesteros's declaration that his desire might be diluted if the Ryder Cup does not go to Spain. Peter Allen, a former PGA captain and eight times a Ryder Cup player, is it time to bring speculation to an end. He feels the most important thing today's decision should be the preparation for the defence of the trophy at Kiawah Island next year. I hope his wish is granted and I hope, too, that Lord Derby is not compelled to give a casting vote.

SPORT FOR THE DISABLED

Games form a joyful springboard to the future

By Jane Wyatt

AS with any endeavour, it pays dividends to recruit people into sport when they are young. The British Sports Association for the Disabled/Variety Club Mini Games, held at the Stoke Mandeville Sports Stadium in Aylesbury, The number of entrants increases every year, with over 160 children aged between eight and 12 from special schools and clubs around the country taking part in this year's Games.

The atmosphere of the Games is relaxed, with an emphasis on enjoyment and participation rather than competitiveness. However, they are intended as an introduction to competitive sport and as a springboard to junior events. The event's director, Louise Richards, says the commitment and determination on the faces of the children leaves one in no doubt just how seriously they take winning.

No one collects a prize coming first but every entrant receives a certificate for taking part. Other qualities, such as enthusiasm, effort and sportsmanship, are rewarded with the Figaro Trophy (named after the Dulux dog), which was won this year by Aaron Webb from Chelmsford in Essex.

There was a wide spread of disabilities, from the quite able to those using electric wheelchairs. Events included swimming, track and field athletics, soccer, table tennis and pool, a form of table tennis played by the more severely disabled with flat bats and sides to the table.

For the first time at the Games, the "Profile System" was used to classify the competitors which, according to Miss Richards, made organization more straightforward.

As the Variety Club of Great Britain has sponsored the Mini Games for the past four years, there have always been plenty of celebrities on hand to present the award. This year it was Sharon Davies's turn to provide extra inspiration to the next generation of champions.

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Fears of World Cup reprisals

From Mrs Kay Heathcote Bazzu and others

Sir, We are a group of English women living and working in Italy. Two of us are married to Italians and have children here. As the World Cup approaches we are becoming increasingly concerned about the potential problems and tensions which could result from the presence of English soccer hooligans in Sardinia. From reports in both the Italian and English press it seems as though we are almost preparing for war. We must challenge the fundamental principle of allowing fans with such an appalling reputation to be given permission to attend.

Although there are many "innocent" fans who have no intention of causing trouble, the predominant perception is how best to deal with the English thugs. We are amazed that the English have not been banned.

We are in total agreement with the Minister for Sport's efforts to ban the sale of alcohol

on ferries transporting English fans to Sardinia and to enforce a 36-hour ban in and around the stadium. The reluctance of the prefect in Cagliari to agree with such measures is no doubt due to financial considerations and an inadequate awareness of how much drunkenness contributes to violent behaviour.

The brutal reaction to any violence by English fans in Sardinia will be borne not by the British government but by the Italian people living in Italy. The memories of the Heysel disaster are still very vivid and we are fearful (mainly for our children) of the retaliation which would result from any Italian blood shed in this competition.

Incidentally the Oxford dictionary defines sport as "amusement, diversion, fun". Yours sincerely, KAY HEATHCOTE BAZZU, JUDITH MANN CALVI, JUDITH BRIDLEY, Via Carducci 33, Tortona, Italy.

Market will grow

From Brigadier Noel Nagle Sir, John Goodbody (May 18) comments on the "bizarre" acceptance by Peter Yarranton of an invitation to become a trustee of the Golden Globe Charity set up to distribute the funds donated by the Skiball computerised spot-the-ball game. Mr Goodbody implies that Mr Yarranton should not be accepted because he is a member of the Sports Council, he already has an obligation to the Football Trust which might be affected by Skiball.

The Sports Aid Foundation is the charity chosen by Golden Globe to distribute that part of its funding that will benefit sport. We see no conflict in, and many good reasons for, Mr Yarranton's trusteeship of Golden Globe which could be of great benefit to British sport, including football itself.

Centre reshaped

From Mr D.M. Honey Sir, The success of British rowing in the past two Olympics has only been made possible by the dedication of those with the long-term foresight to promote junior rowing and sailing.

For the past 22 years, Barn Elms Rowing Centre has nurtured talent from inner London schools and has produced some outstanding rowers. The system has consistently proved itself in 1989 the club had fifty victories. With the demise of Ilea and subsequent changeover to the council of Hammersmith and Fulham, Barn Elms RC must not be allowed to degenerate into a leisure-less facility.

Yours sincerely, D.M. HONEY, 2 Bessing Road, Ruslip Manor, Middlesex.

Civilized spectacle

From Mr Anthony Powys-Lybbe Sir, Mr Mansell's account (May 14) of his recent activity appeals to me.

When I first had a worm's eye view of these matters, almost six years ago, and for more than twenty years thereafter, there was an unwritten rule: the first into a corner had the right to it, on his proper line, without interference.

A slower driver could surrender his right, by giving way, generally waving on an overlying driver with a quick flick of the hand at shoulder height. His courtesy would commonly be acknowledged.

Use of cameras

From Mr Raymond Wergan Sir, How unimaginative our television soccer coverage is becoming.

The greatest advance has been the camera on the 18-yard line. It gives a marvellous view of goalmouth action yet directors are frightened to use it live. For the past 22 years, Barn Elms Rowing Centre has nurtured talent from inner London schools and has produced some outstanding rowers. The system has consistently proved itself in 1989 the club had fifty victories. With the demise of Ilea and subsequent changeover to the council of Hammersmith and Fulham, Barn Elms RC must not be allowed to degenerate into a leisure-less facility.

Yours sincerely, D.M. HONEY, 2 Bessing Road, Ruslip Manor, Middlesex.

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Disunited jealousy

From Mr A.W. Kenyon Sir, I was saddened to read the scathing and unimpressive attack on Manchester United Football Club by Simon Barnes (May 14). Exactly what has the club done to offend Mr Barnes?

The wealth of the club is created by the enormous support they enjoy, and it is these people who pay to see the best players in the country. Surely the dream of every fan of every club is to see the best players at his/her respective club. Is this a crime?

Mr Barnes believes that every club should share its gate receipts with other clubs. Does he expect Manchester United to function as a charity?

Bad advertisement for football

From Mr Alan Collivill Sir, The ill-tempered and undisciplined behaviour seen in the FA Cup Final replay between Crystal Palace and Manchester United was not a good advertisement for football.

Unfortunately, we are going to see a good deal more of the same in the coming weeks.

Surely it is time that association football adopted at least one rule from rugby football. In the latter, referees can, and frequently do, move the point of an infringement forward by ten yards if the offender shows dissent, or does not regret the statutory distance quickly enough. The application of such a rule would have an immediate and salutary effect on indiscipline around the penalty area.

We are also certain to be subjected to generous doses of ham acting by players feigning injury. Another severe irritant for the spectator, who is after all the ultimate financier of the business, is blatant time-wasting.

Yours faithfully, ALAN COLLIVILL, 5 Balfour Avenue, Bearsden, Glasgow.

Clubs dispossessed

From Mr Ian Wood Sir, Newcastle United, as the third best team in the second division, should have been one of the three clubs promoted. The principle that this reward should go to the three top teams in the second division is distorted by the play-offs.

Why should the achievement of third place in the League be any more a matter of doubt than the achievement of first, or second place? The play-offs do not resolve a doubt which ever existed but rather disposes of deserving clubs and induce feelings of guilt in the lucky ones.

It is not so much Sunderland's

From Ms Lisa Ratcliffe Sir, After watching the FA Cup final replay I must express my concern about the behaviour of the players, both to each other and to the referee.

Rather than a game of skill and talent between two top-class teams, we viewed a constant exchange of vicious physical and verbal abuse which could hardly be called a game at all.

What is most worrying is that commentators rarely mention players' behaviour, as if it has become an accepted part of football. How can we expect supporters to behave at matches when such aggression on the pitch reinforces hostility between two clubs.

It's about time managers, clubs and the Football Association started to enforce some discipline on the players and stopped claiming they are the innocent victims of bad crowd behaviour.

Yours sincerely, LISA RATCLIFFE, 167 Russell Court, Woburn Place, WC1.

A new spirit

From Mr S.E. Rice Sir, Your cricket correspondent seems to have a very short memory. He describes (May 19) David Gower's omission from the West Indies tour as "calumnious" and "unimpressive".

David Gower's omission from the West Indies tour is a "calumnious" and "unimpressive" move. He has forgotten that the squad chosen by those same selectors won a Test match against West Indies and would surely have taken the game and not fast been against them.

It was only the absence of Gower, Roberts and the South African rebels, players who had become embittered to defeat, that established a new spirit to be born in the England side, proving that individual quality is no substitute for self belief.

If Gower can earn himself a place in the side once more and well and good, but let us not forget the contrast between last summer's humiliation and this winter's excitement.

Yours sincerely, SIMON RICE, 224 Sandycroft Road, Kew, Richmond, Surrey.

Misplaced praise

From Mr Ardeshir Cowasjee Sir, Zoroastrian Cyrus Goodridge has it all wrong. The Sporting Diary (April 28) congratulates the Zoroastrian Cricket Club for their forthcoming tour of North America - as if a Zoroastrian from Pakistan. But what has Rajni to do with Zoroastrians? Rajni Singh, the Maharaja Jam Sahib of Navanagar state, was a Hindu.

Yours etc, ARDERSHIR COWASJEE, 10 Mary Road, Karachi, Pakistan.

East Germany relaxes rules

EAST Berlin (Reuters) - East Germany's athletes will be able to compete where they want this season, and keep most of the appearance money, the Berliner Zeitung newspaper reported yesterday.

It quoted Heinz Kadow, head of the country's athletics federation, as saying East Germany would also be able to attract more internationalists to its grand prix meeting on July 4 by offering more money. Previously, athletes were strictly chaperoned and allocated events, and prize-money or appearance money for foreigners was limited.

Kadow also said talks would be held with the West German athletics federation this weekend to discuss how to merge their organizations, and that some joint German teams could appear at selected meetings.

Sports Letters may be sent by fax to 071-782 5046

TABLE TENNIS

Defeated England far from disgraced

From RICHARD EATON, OSAKA, JAPAN

CHEN Xiaohua extended Japan's table tennis triumph over England, the world champions, the full distance for the second time in four days as England gave Sweden, the best team in the world, another good match before bowing out in the semi-finals of the World

Moon Cactus to take centre stage

By MANDARIN
(MICHAEL PHILLIPS)

YESTERDAY, it was the three-year-old colts who occupied the stage at Goodwood. Today, it is the turn of the fillies, who contest the Sheraton Park Tower Lufe Stakes over the same mile and a quarter.

So far no winner of this listed race has gone on to win the Oaks, although Scimitarra would have gone very close at Epsom in 1987 if only her off-bone canon bone had not broken halfway up the straight.

Today, her trainer Henry Cecil relies upon Moon Cactus.

Like Scimitarra, she is by Kris, and also racing for the first time as a three-year-old. Kris has shown that he is able to sire horses who get further than he did when mated with the right mare.

So it is reasonable to suppose that Moon Cactus should find today's trip well within her grasp, especially since she is out of a mare by Mill Reef.

As a two-year-old she took high rank after finishing only a head behind Silly Slipper in the group two Hoover Fillies' Mile at Ascot, that after winning at Goodwood and Newmarket.

Interestingly, at Ascot she

had Fujiarah 2½ lengths behind her in third place.

On only 31b terms, Fujiarah should not be capable of reversing that form. Likewise, Native Guide, who was beaten three lengths by Moon Cactus in the Black Bottle Scotch Whisky Stakes, run on today's course last August, should not manage to beat my selection with a similar pull in the weights.

River Nomad could prove very troublesome because she looked like a filly with further improvement at Ascot, where she won over a mile at Ascot at the beginning of this month.

She was going on really well

at the finish that day and I know that her trainer Paul Cole rates her quite highly. It is, however, pertinent to comment that Oriental Mystery, whom she beat by a length this day, has done the form no favours by finishing last in the Musidora Stakes at York in the meantime.

So Moon Cactus is taken to become the middle leg of a treble for her jockey Steve Cauthen, a treble to be initiated by Pure Green (2.10) and completed by Far From Home (4.45).

The task of landing my nap though is entrusted to the evergreen Willie Carson on

Jandee Boy in the valuable Weatherall Handicap.

Having recently carried 10 stone in second place behind the useful Donovan Rose at Hamilton Park, where he was beaten only half a length, the George Moore-trained six-year-old should notice a big difference this afternoon when he is saddled with only Carson's featherweight.

Earlier in the programme, Carson also has a good chance of winning the Kincsem Handicap for Reg Aitchison on Spanish Servant, who finished very strongly indeed at Doncaster last time when beaten a neck by Rustino.

Selections

By Mandarin

- 2.10 Pure Green.
- 2.40 Native Guide.
- 3.10 Moon Cactus.
- 3.40 JONDEBBE BOY (nap).
- 4.10 Goodbridge.
- 4.45 Far From Home.
- 5.20 Coolah.

By Our Newmarket Correspondent

- 2.10 Pure Green.
- 2.40 Native Guide.
- 3.10 MOON CACTUS (nap).
- 3.40 Razzaman.
- 4.10 Rue De Cirque.
- 4.45 Questioning.
- 5.20 Tinkerbird.

By Michael Seely

- 2.40 TIMMINION (nap).
- 3.10 Moon Cactus.

The Times Private Handicapper's top ratings: 3.10 MOON CACTUS.

Going: good to firm (watering) Draw: 5f-1m, high numbers best SIS meeting

2.10 BOXGROVE MAIDEN FILLES STAKES (Div 1: 3-Y-O: £2,985; 7f) (9 runners)	
101 (8) ANNA KARETTA 21 (Lond. Chas.) S. Woodman 9-11	S. Woodman
102 (9) CASTLE FLAME 21 (S. Woodman) S. Woodman 9-11	S. Woodman
103 (7) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman
104 (8) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman
105 (9) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman
106 (7) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman
107 (8) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman
108 (9) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman
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110 (8) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman

FORM FOCUS ANNA KARETTA showed good speed before weathering 21 out when a well beaten 12th of 14 to defeat the favourite, Native Guide, by 2½ lengths. She was well placed to improve for this contest.

DANCERS FIRST, from last year's successful stable, ran well towards the end when a neck 2nd to Native Guide. She was well placed to improve for this contest.

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2.40 KINCSEM HANDICAP (£3,980; 2m 50yds) (18 runners)	
101 (8) ANNA KARETTA 21 (Lond. Chas.) S. Woodman 9-11	S. Woodman
102 (9) CASTLE FLAME 21 (S. Woodman) S. Woodman 9-11	S. Woodman
103 (7) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman
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3.10 SHERATON PARK TOWER LUFES STAKES (Listed race: 3-Y-O: £18,275; 1m 20) (8 runners)	
101 (8) ANNA KARETTA 21 (Lond. Chas.) S. Woodman 9-11	S. Woodman
102 (9) CASTLE FLAME 21 (S. Woodman) S. Woodman 9-11	S. Woodman
103 (7) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman
104 (8) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman
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4.45 Far From Home	
101 (8) ANNA KARETTA 21 (Lond. Chas.) S. Woodman 9-11	S. Woodman
102 (9) CASTLE FLAME 21 (S. Woodman) S. Woodman 9-11	S. Woodman
103 (7) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman
104 (8) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman
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5.20 Coolah	
101 (8) ANNA KARETTA 21 (Lond. Chas.) S. Woodman 9-11	S. Woodman
102 (9) CASTLE FLAME 21 (S. Woodman) S. Woodman 9-11	S. Woodman
103 (7) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman
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5.20 Tinkerbird	
101 (8) ANNA KARETTA 21 (Lond. Chas.) S. Woodman 9-11	S. Woodman
102 (9) CASTLE FLAME 21 (S. Woodman) S. Woodman 9-11	S. Woodman
103 (7) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman
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109 (7) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman
110 (8) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman

4.10 RADIO 1 FM 98.2 MAIDEN STAKES (2-Y-O: £3,814; 6f) (11 runners)	
101 (8) ANNA KARETTA 21 (Lond. Chas.) S. Woodman 9-11	S. Woodman
102 (9) CASTLE FLAME 21 (S. Woodman) S. Woodman 9-11	S. Woodman
103 (7) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman
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4.45 BOXGROVE MAIDEN FILLES STAKES (Div 1: 3-Y-O: £2,971; 7f) (11 runners)	
101 (8) ANNA KARETTA 21 (Lond. Chas.) S. Woodman 9-11	S. Woodman
102 (9) CASTLE FLAME 21 (S. Woodman) S. Woodman 9-11	S. Woodman
103 (7) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman
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5.20 LEVIN DOWN HANDICAP (3-Y-O: £4,045; 6f) (12 runners)	
101 (8) ANNA KARETTA 21 (Lond. Chas.) S. Woodman 9-11	S. Woodman
102 (9) CASTLE FLAME 21 (S. Woodman) S. Woodman 9-11	S. Woodman
103 (7) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman
104 (8) DANCERS FIRST 21 (S. Woodman) S. Woodman 9-11	S. Woodman
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Britain's pretender in the hurdles plots to usurp the throne of Kingdom

Jackson longs for his school place in front of the queue

BY DAVID POWELL
ATHLETICS CORRESPONDENT

The first time Colin Jackson tried hurdling, it went brilliantly, so brilliantly that he jumped the school queue to demonstrate a second time to his class how it should be done. "I was 12 and the teacher sent me out because he said I should have gone to the back," Jackson said. As for the world rankings show, he still cares little for queues.

The best high hurdles on the circuit would be a Club 30 travel group but for the impatient young Welshman. They are all bunched around their thirtieth birthday except Jackson, who is 23, and only just. He stood in line for a while — third in the world championship, second in the Olympics, second in the World Cup — but he longs for his schoolboy place again, right at the front of the queue.

This could be the year Roger Kingdom has to move aside. He is the Olympic champion, World Cup winner, world No. 1 and world record holder; but Jackson was never far behind last year and his winter training promises to bring him out stronger. Does that mean quicker? "No, we cannot assume that," Malcolm Arnold, his coach, said. "But it is an excellent sign."

In January, Jackson confirmed his place as world No. 2 with a European record 13.08sec to win the Commonwealth Games. "Before Auckland my squat was 200 kilos, which was not a squat as we squat now," Jackson says. "My squat now is 230, a proper squat,

too, nice and deep. My clean has gone up from 125 to 130, my bench press from 100 to 115. My snatch has gone up from 65 to 80." His confidence has gone up, too.

"He believes now he can put away any hurdler in the world," Arnold said. "His best race this year, we did not think was terribly good. The first part was quite weak — he skied the first hurdle. As far as his training is concerned, I will confirm what he has said. His strength levels have improved quite considerably since Auckland. What we have got to do now is translate that into performance."

Greg Foster, aged 31, Renaldo Nehemiah, 31, and Tonia Campbell, 30 next month, three luminaries of the hurdles, were third, fourth and fifth in the 1989 rankings. Only Kingdom, aged 27, is ahead; catching him is important, but Jackson has a greater ambition this summer. "The most important thing is to be European champion," Jackson says. "My second target is to be ranked No. 1 and my third is the world record."

AAA cash in on a new deal

The Amateur Athletic Association (AAA) has struck one of the most lucrative sponsorship deals in the history of the sport with a four-year agreement worth £2.9 million.

Panasonic, the electronics manufacturer, will now promote the flagship event of the domestic calendar, the AAA/WAAA championships, to be held at Birmingham in August.

The championships are traditionally the British trials for international events, and the selection of the team

for the European championships in Split will be based on them this year. Panasonic, which succeeds Kodak as sponsors of Britain's most famous and oldest meeting, will also be backing the men's area leagues.

Bill Evans, the chairman of the AAA, said yesterday: "This is the largest package we have ever negotiated with a new sponsor for the sport. It is important for us that they are a recognized and internationally respected company which has shown a long-term commitment to the sport."

Instead, he chose to work for outdoor gain. The Canadian Olympic finalist, Mark McKoy, has been with him in Cardiff since the beginning of March, to their mutual benefit. "His

100 metres is 10.21sec — that is the kind of leg speed I'm looking to have and working out with him on the speedwork is great," Jackson says.

"The more I practise, the luckier I get," Gary Player used to say. Now that Jackson has been practising hard, it could be time for him to get lucky with the world record. Kingdom improved it to 12.92sec last year. "If his 12.87sec (wind-assisted) in the World Cup had counted, it would have been difficult, but 12.92 is within my grasp," Jackson said. He ran 12.95sec that day. "I do think the record will go this year," Jackson added.

Arnold discourages talk of world-record attempts. "You cannot do it," he said. "What happens if you set up a world-record attempt and the wind is three metres per second against you? Championships are more important because you have got to produce on a particular day. Records can come at any time when you fit all the right circumstances together."

Jackson has not always been a hurdler. He was a javelin thrower when Arnold was first drawn to him. "His reputation as a youngster was as a good all-round athlete," Arnold said. It was against the advice of his coach and parents that Jackson went full-time five years ago. "Colin plays for a living," his mum would say. And the teacher who sent him out of the class has never been allowed to forget. "He lives about four doors away from me," Jackson said. Only now he would love to see him at the head of the queue.



Synchronized gymnastics: anything Jackson can do, his tiny pupil can do just as well

Derbyshire tail turns elation to despair

By JACK BAILEY

CHESTERFIELD (first day of three): Yorkshire, with all first-innings wickets in hand, are 274 runs behind Derbyshire

IT WAS cut-and-thrust all the way. First Derbyshire in the ascendant, then Yorkshire. Finally, with Miller and Base putting on 107 runs for the last wicket, it became Derbyshire's day. But not before a confident start had turned to ashes.

Derbyshire, cruising along at 201 for three, were sent plunging to 210 for nine before Base joined Miller in a stand which lasted for 2½ hours and changed Yorkshire elation to despair.

This was only the second three-figure last-wicket partnership made for Derbyshire. The first was also against Yorkshire — 132 at Abbeville by Hill and Jean-Jacques in 1986 — and all the sweeter for that. But it can have been no more welcome on that occasion than Base's 58 and Miller's underfated 47 were here.

The Derbyshire mood at lunch was forgivingly gung-ho. That famous victory at Taunton on Tuesday had left them riding high. Now Robert had won the toss, the Yorkshire bowling had strayed in length and line and they had 160 on the board from 35 overs for the loss of Barnett and Roberts.

The pitch was bare and there was talk of it taking spin before long. What was more, Morris had been at pains to set out his stall with care, and he was still there. He had opened with Barnett, watching and waiting, as first the Derbyshire captain

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Hardie and Waugh collect centuries as Essex set pace

By JOHN WOODCOCK

SOUTHAMPTON (first day of three): Essex won toss; Hampshire, with all first-innings wickets in hand, are 295 runs behind Essex

ONCE they had got through the first hour for the loss of only Stephenson, there was scarcely the slightest doubt that Essex, even without Gooch, would be past 300 by 5.30, or soon after, at Southampton yesterday and wondering whether to declare.

In the event they closed just before six o'clock, at 315 for four. Hardie and Waugh having both made hundreds, and gave themselves seven overs bowling.

Had the luck been with Marshall in a very good first spell, bowled to a full length, it just might have been another story. He passed the bat any number of times, Hardie included; but when so little came of it Hampshire must have known what was in store.

Shine, strong and quite brisk, took a couple of wickets, Stephenson caught behind and Pritchard at first slip. But Hardie and Waugh had made 203 together before Hampshire had their next success.

Hardie could have had the surprise of his life yesterday morning, according to which newspaper he takes. Although, until now, his top score of the season had been 74, his average was 116, and there he was at the head of some of the lists. He is an ingenious fellow, having worked out over his 40 years how to make himself

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difficult to dislodge. The way he manages it is practical rather than pretty, consisting of thrusting the front leg firmly forward, watching the ball closely, fidgeting reassuringly, and always on the lookout for anything short enough to hit through the off side off the back foot, usually square of the wicket.

Nothing became him more yesterday than the way, when he reached his 26th first-class hundred, he refrained from pumping the air and waving ostentatiously to the players' balcony, as is the modern way, often to the exclusion of the crowd. By the time he reached it Essex were 188 for two and Waugh was beginning to play with much style.

From the last 44 balls he received before tea Waugh scored 49 to Hardie's 7. Their methods are as starkly different as the places where they were born — Waugh in Sydney and Hardie in Stenhousemuir.

Having had a breather, Hardie had begun to throw the bat when he played on to Connor. The nearest he had come to giving a chance was the stroke that took him to his hundred, a glance off Turner that may just have been catchable at backward short leg.

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CRICKET

Roseberry's talents are flowering at long last

By IVO TENNANT

LORDS (first day of three): Middlesex won toss; Surrey, with all first-innings wickets in hand, are 293 runs behind Middlesex

THAT Michael Roseberry has an ability to bat has never been in doubt, even if he has not had an average to prove it. Now, he is starting to make the scores expected of him. He held the Middlesex innings together yesterday, making not only his first championship century but a career-best score of 122.

No other Middlesex batsman made more than 40. Haynes, Gavran and Ramprakash among them. It is indicative of how fiercely Roseberry concentrated, an aspect of his game which was not always in evidence in the past. Although he made a century in the Farnham tournament, he has taken five seasons to do so in the championship.

There was something in the pitch for Surrey's medium-pacers and for Gray, who was spared for once trouble with groin strains. To restrict Haynes, Roseberry took 18 runs in an hour and a half in indeed meritorious. True, he promptly

struck successive fours off Murphy, but upon Gray's return at the Nursery End he sliced a drive to second slip. Next, Gray accounted for Gavran. There were a few dazzling strokes by Ramprakash, including a four through extra cover off Gray before he reached double figures, but patience is not his strong point. Frustrated by Kendrick's off-side ring, he failed to clear it.

The reputations of both Ramprakash and the Roseberrys (Andrew, five years younger, has joined Leicestershire) went before them when they were at school. For the last two years, Ramprakash has been the more feared of the two; now, with Gavran in the team, Roseberry has taken his opportunity to steal a march.

No one stayed with him for long in the afternoon. Brown drove Medleycott to mid-on. Downton went quickly. Roseberry reached his century in 272 minutes with 15 fours and a six swung over the short square leg boundary off Murphy, who got him in the end. Greig, having positioned him-

self at a deepish square leg, splendidly held a firm hook. With the exception of Williams, the tail had little idea as to how to cope with Medleycott. The short Tavern boundary was too alluring. Embury and Covens each played a six there and each was out trying for another.

MIDDLESEX: First Innings
D.L. Haynes c Lynch b Gray 33
D.L. Roseberry c Gray b Murphy 122
M.P. Gray c Ward b Gray 20
M.P. Ramprakash c Aldrich b Kendrick 30
K.R. Brown c Murphy b Medleycott 18
T.P. Downton b Murphy 15
J.E. Embury c Ward b Medleycott 10
J.P. Farnham c Aldrich b Gray 40
N.G. Covens c Kendrick b Medleycott 6
S.P. Hughes c Greig b Kendrick 14
P.C. Tufnell not out 14
Extras (b 4, lb 1, nb 3) 18
Total 310

Score at 100 overs: 310 for 9.
FALL OF WICKETS: 7-78, 8-108, 9-168, 10-206, 11-241, 12-258, 13-275.
BOWLING: Gray 22-5-58-2, Kendrick 25-7-75-1, Murphy 25-6-50-2, Greig 1-0-5-1, Medleycott 15-4-51-4, Roseberry 4-0-1-0-1.
SURREY: First Innings
R.I. Aldrich not out 19
P.D. Adams not out 17
Total (no wicket) 17
M.A. Lynch, G.P. Thomas, D.M. Ward, I.A. Greig, K.T. Medleycott, M.N. Kendrick, M.P. Embury, M.P. Gray, A.J. Murphy to bat.
Batsmen points: Middlesex 4, Surrey 4.
Umpires: K.J. Lyons and R.A. White.

SWANSEA (first day of three): Kent won toss; Kent have scored 291 for three wickets against Glamorgan
FOR long periods, yesterday, Kent averaged little more than two runs an over and their batting was more tedious than it should have been. Simon Hinks and Neil Taylor made four centuries as Kent plodded along on a slow pitch, whose behaviour belied his green appearance.

By losing the toss, Butcher condemned Glamorgan to a third consecutive day in the field — interspersed with an overnight drive from Howe — and they did not help themselves by dropping significant catches. Cowley missed return chances offered by Hinks, when he was 30, and Taylor at 53.

University finally pull up to second

ROWING

University finally pull up to second

By a CORRESPONDENT

UNIVERSITY took their time but eventually topped New College from second place behind Oxford in the Oxford Summer Eights which opened yesterday.

In fourth place and well out of contact with Oxford came Christ Church, who showed their eagerness with a training outing after lunch between papers in the final examinations of President Johnny Searle.

Somerville swiftly deposed Wadham from second position in the women's divisions.

Men
FIRST DIVISION: University beat New College, Pembroke beat Worcester, Balliol beat Keble, Wadham beat Hertford.

SECOND DIVISION: Jesus beat St Catherine's, Wadham beat New College, St Peter's beat Keble.

THIRD DIVISION: Lady Margaret Hall beat Oriel House, Merton beat Christ Church, St Edmund Hall beat Wadham, St John's beat Keble.

FOURTH DIVISION: Brasenose beat St John's, Lincoln beat Lincoln, St Peter's beat Keble, St Catherine's beat Keble, Christ Church beat St John's, Magdalen beat Keble.

FIFTH DIVISION: St John's beat St John's, St John's beat St John's, St John's beat St John's, St John's beat St John's.

SIXTH DIVISION: St John's beat St John's, St John's beat St John's, St John's beat St John's, St John's beat St John's.

SEVENTH DIVISION: St John's beat St John's, St John's beat St John's, St John's beat St John's, St John's beat St John's.

EIGHTH DIVISION: St John's beat St John's, St John's beat St John's, St John's beat St John's, St John's beat St John's.

NINTH DIVISION: St John's beat St John's, St John's beat St John's, St John's beat St John's, St John's beat St John's.

TENTH DIVISION: St John's beat St John's, St John's beat St John's, St John's beat St John's, St John's beat St John's.

Eleventh Division: St John's beat St John's, St John's beat St John's, St John's beat St John's, St John's beat St John's.

Twelfth Division: St John's beat St John's, St John's beat St John's, St John's beat St John's, St John's beat St John's.

Cowdrey's oddity brightens dull day

By RICHARD STREETON

SWANSEA (first day of three): Kent won toss; Kent have scored 291 for three wickets against Glamorgan

FOR long periods, yesterday, Kent averaged little more than two runs an over and their batting was more tedious than it should have been. Simon Hinks and Neil Taylor made four centuries as Kent plodded along on a slow pitch, whose behaviour belied his green appearance.

By losing the toss, Butcher condemned Glamorgan to a third consecutive day in the field — interspersed with an overnight drive from Howe — and they did not help themselves by dropping significant catches. Cowley missed return chances offered by Hinks, when he was 30, and Taylor at 53.

Richards, at first slip, earlier had put Taylor down when he was 22. Waite was the bowler and he was the pick of the Glamorgan attack, finishing with three for 53 from 24 overs.

Generally, it was a day when little went right for Glamorgan, a day when they were out of their element, a day when they were out of their element.

Cowdrey had been summoned from Canterbury at breakfast time, when his elder brother, Chris Cowdrey, developed an ear infection overnight.

Benjamin was soon out, before Hinks and Taylor added 161 in 68 overs, though memorable strokes were scarce. Hinks cut.

It also used to have a more scenic claim to distinction: the 79 steps the players had to climb from the field to the dressing-room being the most on any cricket ground in the world. This terracing, however, has been rebuilt. Though the steps are steeper, there are now only 39 of them.

NEST: First Innings
M.H. Barnett b Wadham 17
G.P. Thomas b Wadham 107
D.M. Ward b Wadham 107
I.A. Greig c Wadham b Wadham 3
K.T. Medleycott not out 46
S.P. Hughes not out 17
Total (5 wickets) 291
Score at 100 overs: 291 for 3.
FALL OF WICKETS: 1-33, 2-104, 3-210, 4-258, 5-284, 6-318, 7-340, 8-370, 9-400, 10-430, 11-460, 12-490.
BOWLING: Wadham 16-4-58-2, Kendrick 25-7-75-1, Murphy 25-6-50-2, Greig 1-0-5-1, Medleycott 15-4-51-4, Roseberry 4-0-1-0-1.

GLAMORGAN: First Innings
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Middleton made to wait

Benjamin is facing retirement

By SIMON WILDE

TONY Middleton, the Hampshire batsman, will have to wait until next week for a chance to extend his phenomenal run of century-making in the Rapid Cricket League second XI championship.

Middleton, who has scored hundreds in each of his last five innings, is expected to next bat in the championship against Lancashire at Bourne-mouth on a match starting on Wednesday.

Despite a maiden first-class century against Kent at Canterbury in April, Middleton has been unable to secure a regular first-team place. Middleton was recalled to the first team for yesterday's match with Essex at Southampton because of the absence on international duty of David Gower and Robin Smith, and thus misses the latest round of second XI matches which began yesterday.

Last week, Middleton scored a century in each innings against Leicestershire at Bourne-mouth, the second time he has performed the feat this season.

Middleton, the champions, were beaten in the competition for first time since 1986. They set their opponents, Worcester, a target of 384 to win at Uxbridge, but lost by three wickets, principally because of a century by Martin Weston.

Weston, who showed he had returned to full fitness with match figures of 10 for 76 for Lancashire against Derbyshire at Liverpool.

Benjamin, who broke down again during last Sunday's Refuge Assurance League match with Lancashire, said: "If an operation is needed, my career could be over. Something has to be done though."

Apart from batting with a runner, Benjamin took no further part in the championship game at Old Trafford.

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Northants' lesser lights shine

By GEOFFREY WHEELER

EVEN without four Test players in Lamb, Larkins, Ambrose and Nick Cook, Northamptonshire succeeded in making life difficult for Nottinghamshire, the new championship leaders, on the first day of the game at Trent Bridge.

After the loss of two early wickets to Andy Pick, Northamptonshire were revived by a century partnership between Paul Johnson.

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SPORT

England's old failings repeated

By ALAN LEE
CRICKET CORRESPONDENT

HEADINGLEY (New Zealand won toss): New Zealand beat England by four wickets.

ENGLAND came to Headingley one early summer's day last year amid animated talk of a brave new dawn. They were wiped out by Australia. Yesterday, on the same ground, and with similarly heady anticipation, they disappeared again, this time losing to an underrated New Zealand.

Although the 1989 debacle was a Test match, and this a comparatively trivial one-day game which went to its penultimate ball, the parallels are hard to ignore.

Yesterday, as last year, England were beaten because they bowled carelessly and sometimes cluelessly against batsmen too good to pass up such philanthropy.

To win this first of two Texaco Trophy matches, New Zealand did not need to be good as this. Having been cruising to victory, needing 72 off 12 overs with eight wickets in hand, New Zealand made hard work of it, and it was Mark Greatbatch, sure to be one of the faces of this summer, who got them home with his maiden one-day century.

Ian Smith, a man made for such situations, clubbed the fifth ball of the final over for four to finish the job.

In choosing to chase runs, New Zealand had in mind the limitations of their own bowling attack. Snedden's stomach strain was considered too bad to risk, and in his place came 22-year-old Chris Pringle, direct from Bradford League cricket with the Pudsey club. Pringle was sensibly put straight into the game by Wright. Supporting Hadlee with the new ball, he kept to a commendably full length. Later, memorably for him, he was to take the wicket of the England captain.

Gooch's reunion with Gower was not an instant success. Off the mark with a thick edge to the third man, Gower fell in the fifth over. Aiming to force through the on side against Hadlee, he failed to get over the ball.

That was New Zealand's last tangible success until just before lunch. It was the change bowling — Morrison, Millmow and Priest — which gave England the scope for rapid acceleration.

Gooch was majestic, his six over long on against Millmow a study in balance. It was a surprise to all, visitors not exempt, when he departed. By then, Robin Smith was thundering along. The juggernaut of a player he is nowadays, he had his luck here, put down once by Morrison and twice — difficult chances — by Hadlee, but between times he massaged anything overpitched



Beaten to the punch: Alan Lamb continues on his way to the pavilion after being run out by the New Zealand wicketkeeper, Smith, yesterday

with a sequence of cover drives. Lamb, reacting late to Smith's call, was run out by Stewart, who played a perky innings of real style, driving and pulling successive fours off Hadlee, who had hit the net not conceded a boundary in eight overs.

Smith, using his feet against the seamers and easing the ball into gaps, passed his first one-day hundred for England and advanced to the fourth highest score in 18 years of such internationals in this country.

Hadlee tried to fox him with a slower ball but he waited and clubbed it through extra cover for four. Aiming to clear deep square leg from the next, he narrowly failed. Russell did not waste a ball and neither did England's Pringle. With great conviction, he hit the last four balls of the innings for four. Hadlee, unbelievably was the bowler.

There seemed few in the ground who gave New Zealand a chance of making so many. Headingley was no more than two-thirds full, and all day long there had been a shortage of atmosphere.

Has the public grown tired of the repetitive one-day formula? Surely not. Maybe they had simply underestimated the tourists.

Wright announced his intentions by driving the first

ball of the reply for four. Thereafter he was not at his best for a time, but, along with the reliable Jones, another who is more about adhesion than appearances, he gave his side the ideal platform: 87 came from the first 20 overs, at which point Lewis had conceded 28 in four, and was looking raw and unprepared. Gooch took the ball himself, good and timely captaincy. Within two overs, he had doubled his wickets tally for the season by dismissing both the openers.

To have Crowe and Greatbatch striding in, just when you feel you have broken the back of the job, is not a comforting sight. In the next two overs they added 118, the left handed Greatbatch dominating the strike and the scoring. One punched drive for six over midwicket off

Pringle was the stroke of the day, but to be honest the batting was assisted by bowling which paid little heed to the disciplines of line and length.

It began to go wrong for New Zealand as soon as Crowe fell, gloving an attempted pull. Two balls later, Rutherford was given no benefit of the doubt for an lbw which looked high. The game had changed: Hadlee cut to gully, Lewis's third wicket in a transformed second spell, and Priest was blindingly caught by Gower at short mid-wicket before they claimed the win they deserved.

Gladstone Small, England's senior bowler in the one-day international series, is doubtful for tomorrow's second match after suffering thigh and groin damage while bowling at Headingley yesterday.

Chris Lewis's best figures for England could not prevent New Zealand's remarkable four-wicket victory as they made the highest score ever to win a one-day international.

Compiled by Richard Lockwood

It has been done only twice since the end of the Second World War, by Glenn Turner, for the New Zealanders, and the Zimbabwe-born Graeme Hick, for Worcestershire. The last Englishman to do it was Bill Edrich, of Middlesex, in 1938.

Cook, aged 36, failed by only four runs to score a century before lunch and hit the first ball after the interval to the fence. He fell to Colin Wells, trying to hit the boundary which would have taken him past 200 for the second time this season. In all, he hit a

six and 30 fours from 197 balls.

He completed 1,000 runs in all competitions this season in last Sunday's Refuge Assurance League match against Derbyshire. That total included an innings of 177 against Sussex in the Benson and Hedges Cup game at Hove.

With Somerset 500 for five, Cook may not get a second innings in the present game. In that case his last chances will be against Leicestershire at Grace Road over the Spring Bank holiday weekend.

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Berlin test

Derek Redmond, national 400 metres record holder, who missed the Commonwealth Games with Achilles, and hamstring injuries, makes his comeback in East Berlin on July 4.

More racing, page 41

Derby picture becomes even more confused

WITH the Derby two weeks away, ante-post betting was shaken up once again after the favourite, Digression, had flopped in the last of the recognized trials, the Predominate Stakes, at Goodwood yesterday.

Digression, sent off at 2-1, had every chance two furlongs out, but the Guy Harwood colt found nothing and finished a well-beaten fifth, behind Henry Cecil's Razeeen.

Leading bookmakers have pushed Digression out to 14-1 and Michael Stoute's Rock Hopper is the new favourite with Ladbrokes at 4-1. He is 3-1 market leader with Corals.

Razeeen, unbeaten in three appearances, led with just over a furlong to go and ran on well to beat Elmaamul by four lengths. Razeeen is now second

favourite but Cecil is not particularly confident.

"Razeeen underwent a throat operation last year and as a result did not race," he said. "In fact, he didn't gallop until February. If the Derby was run a month later, I would be getting very excited. In my heart of hearts, I know he needs more time."

Dick Hern, trainer of the Elmaamul, said he would like to see a video of the race before making a decision. "He's run well and would have finished closer to the winner but for being hampered," he said.

Hern added that his other Derby possible, Mukaddam, is recovering from a bruised foot and hopefully will make it to Epsom.

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